

AIR QUALITY DIVISION
CHAPTER 6, SECTION 3
OPERATING PERMIT

**WYOMING DEPARTMENT OF
ENVIRONMENTAL QUALITY**
AIR QUALITY DIVISION
122 West 25th Street
Cheyenne, Wyoming 82002



PERMIT NO. 3-0-136-2A
(Modified February 22, 2007)

Issue Date: **February 22, 2007**
Expiration Date: **January 27, 2009**
Effective Date: **December 27, 2006**
Replaces Permit No.: **30-136-2**

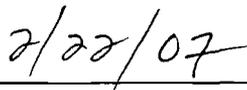
In accordance with the provisions of W.S. §35-11-203 through W.S. §35-11-212 and Chapter 6, Section 3 of the Wyoming Air Quality Standards and Regulations,

Wyoming Refining Company
Newcastle Refinery
Section 29, T45N, R61W
Weston County, Wyoming

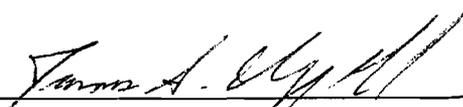
is authorized to operate a stationary source of air contaminants consisting of emission units described in this permit. The units described are subject to the terms and conditions specified in this permit. All terms and conditions of the permit are enforceable by the State of Wyoming. All terms and conditions of the permit, except those designated as not federally enforceable, are enforceable by EPA and citizens under the Act. A copy of this permit shall be kept on-site at the above named facility.



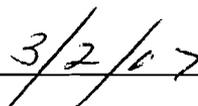
David A. Finley, Administrator
Air Quality Division



Date



John V. Corra, Director
Department of Environmental Quality



Date

WAQSR CHAPTER 6, SECTION 3 OPERATING PERMIT

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY AIR QUALITY DIVISION

TABLE OF CONTENTS (Modified February 28, 2006)

| | |
|---|-----------|
| General Information..... | 3 |
| Source Emission Points | 4 |
| Total Facility Estimated Emissions..... | 5 |
| Facility-Wide Permit Conditions | 6 |
| Facility-Specific Permit Conditions..... | 6 |
| Source-Specific Permit Conditions..... | 6 |
| Testing Requirements | 9 |
| Monitoring Requirements..... | 10 |
| Recordkeeping Requirements | 14 |
| Reporting Requirements | 16 |
| Accidental Release Prevention Requirements..... | 19 |
| Sulfur Dioxide Emission Inventory Requirements | 19 |
| WAQSR Chapter 5, Section 2 and 40 CFR 60 Subpart J Requirements..... | 20 |
| WAQSR Chapter 5, Section 2 and 40 CFR 60 Subpart XX Requirements | 22 |
| WAQSR Chapter 5, Section 2 and 40 CFR 60 Subpart GGG Requirements | 23 |
| WAQSR Chapter 5, Section 2 and 40 CFR 60 Subpart QQQ Requirements | 24 |
| 40 CFR 61 Subpart A and Subpart FF Requirements..... | 25 |
| WAQSR Chapter 7, Section 3 Compliance Assurance Monitoring (CAM) Requirements | 26 |
| Compliance Certification and Schedule..... | 28 |
| Compliance Certification..... | 28 |
| Compliance Schedule | 29 |
| General Permit Conditions..... | 30 |
| State Only Permit Conditions | 35 |
| Summary of Source Emission Limits and Requirements..... | 37 |
| Abbreviations..... | 44 |
| Definitions | 45 |
| Appendix A: Portable Analyzer Monitoring Protocol | |
| Appendix B: 40 CFR 60 Subpart J | |
| Appendix C: 40 CFR 60 Subpart XX | |
| Appendix D: 40 CFR 60 Subparts GGG and VV | |
| Appendix E: 40 CFR 60 Subpart QQQ | |
| Appendix F: 40 CFR 61 Subpart A | |
| Appendix G: 40 CFR 61 Subpart FF | |
| Appendix H: General Control Device Requirements | |
| Appendix I: Compliance Assurance Monitoring (CAM) Plan | |
| Appendix J: WAQSR Chapter 7, Section 3 Compliance Assurance Monitoring (CAM) | |

GENERAL INFORMATION

Company Name: **Wyoming Refining Company**

Mailing Address: **P.O. Box 820**

City: **Newcastle**

State: **WY**

Zip: **82701**

Plant Name: **Newcastle Refinery**

Plant Location: **Section 29, Township 45 North, Range 61 West, Weston County, WY (740 West Main, Newcastle, Wyoming)**

Plant Mailing Address: **740 West Main**

City: **Newcastle**

State: **WY**

Zip: **82701**

Name of Owner: **Hermes Consolidated, Inc.
d.b.a. Wyoming Refining Company**

Phone: **(303) 894-9966**

Responsible Officials: **C. Patrick Havener, or
John E. Elgin**

Phone: **(307) 746-4445**

Phone: **(303) 894-9966**

Plant Manager/Contact: **C. Patrick Havener**

Phone: **(307) 746-4445**

DEQ Air Quality Contact: **District 3 Engineer
1043 Coffeen Avenue, Suite D
Sheridan, Wyoming 82801**

Phone: **(307) 672-6457**

SIC Code: **2911**

Description of Process: **The Newcastle Refinery converts crude oil into a variety of marketable products including motor gasolines, jet fuel, distillates, fuel oils, and sulfur. Refinery operations involve refining process units such as crude distillation, vacuum distillation, catalytic cracking, reforming, and alkylation; associated processes such as hydrotreating and sulfur recovery; and ancillary operations such as storage, boilers, cooling towers, and the wastewater treatment system.**

SOURCE EMISSION POINTS

(Modified May 11, 2004) (Modified February 28, 2006) (Modified February 21, 2007)

This table may not include any or all insignificant activities at this facility.

| SOURCE ID# (Stack #) | SOURCE DESCRIPTION | SIZE | CH 6, SEC 2 PERMITS |
|---------------------------------|----------------------------------|----------------------|-----------------------------------|
| H-01 (S-01) | Prefrac Heater | 50.0 MMBtu/hr | MD-433A |
| H-02 (S-04) | FCC Feed Heater | 47.0 MMBtu/hr | MD-433A & MD-1030 |
| H-03 (S-05 & S-06) | Crude Heater | 78.7 MMBtu/hr | MD-433A |
| H-06 (S-08) | Alkylation Reboiler | <u>23.0</u> MMBtu/hr | MD-433A & <u>MD-1500</u> |
| H-07 (S-09) | Boiler #1 | 27.7 MMBtu/hr | MD-433A |
| H-08 (S-09) | Boiler #2 | 27.7 MMBtu/hr | MD-433A |
| H-09 (S-10) | Boiler #3 | 22.7 MMBtu/hr | MD-433A |
| H-11 (S-13) | Reformer Preheat | 18.0 MMBtu/hr | MD-433A |
| H-12 (S-14) | Reformer Reheat #1 | 18.0 MMBtu/hr | MD-433A |
| H-13 (S-15) | Reformer Reheat #2 | 10.0 MMBtu/hr | MD-433A <i>and</i> MD-1030 |
| H-14 (S-16) | HDS Heater | 18.5 MMBtu/hr | MD-433A, MD-1030 & MD-1132 |
| H-15 (S-17) | Vacuum Flasher Heater | 6.2 MMBtu/hr | MD-433A; February 23, 2001 Waiver |
| H-16 (S-18) | NHT Heater | 18.0 MMBtu/hr | MD-433A & MD-1030 |
| H-17 (S-19) | Tank 19 Heater | 1.5 MMBtu/hr | MD-433A |
| H-18 (S-20) | Boiler #4 | 5.0 MMBtu/hr | MD-433A |
| H-19 (S-21) | FCC Preheater | 6.5 MMBtu/hr | MD-433A & MD-1132 |
| H-20 (S-21) | CO Furnace | 60.0 MMBtu/hr | MD-433A & MD-1132 |
| FCC (S-21) | FCC Regenerator | 6000 bbl/day | MD-433A & MD-1132 |
| H-21 (S-22) | Truck Loadout Incinerator | N/A | MD-433A |
| COOL | Cooling Towers | 20,000 gpm | None |
| CTANK | Crude Tank | 2,453,640 gal | May 4, 1993 Waiver |
| LOCAT | Lo-Cat II - sulfur recovery unit | 3.93 TPD sulfur | MD-433A |
| FLARE | Flare | N/A | None |
| RACK | Loading Racks | 1,850 gal/min | MD-433A |
| TANKS | Storage Tanks (other than CTANK) | Varies | MD-433A |
| WWTS | Wastewater Treatment System | N/A | None |

TOTAL FACILITY ESTIMATED EMISSIONS

(Modified February 28, 2006)

For informational purposes only. These emissions are not to be assumed as permit limits.

| POLLUTANT | EMISSIONS (TPY) |
|--|---------------------|
| CRITERIA POLLUTANT EMISSIONS | |
| PM ₁₀ Particulate Matter | 159.3 ¹ |
| Sulfur Dioxide (SO ₂) | 1011.4 ² |
| Nitrogen Oxides (NO _x) | 234.9 ² |
| Carbon Monoxide (CO) | 243.0 ¹ |
| Volatile Organic Compounds (VOCs) | 151.9 ³ |
| HAZARDOUS AIR POLLUTANT (HAP) EMISSIONS ** | 12.37 ⁴ |

¹ PM₁₀ and CO estimated emissions are based on applicable permit limits and, where no limits exist, on both AP-42 emission factors and full firing for 8,760 hours using refinery or natural gas.

² SO₂ and NO_x estimated emissions represent the sum of all permitted emission limits plus estimated flare and flare pilot emissions.

³ VOC emission estimates are from the operating permit application and represent maximum potential emissions.

⁴ Current potential HAP emissions as calculated by the permittee on November 26, 2003. Potential HAP emissions on August 18, 1998 are calculated by the permittee as 22.06 TPY.

FACILITY-SPECIFIC PERMIT CONDITIONS

Facility-Wide Permit Conditions

- (F1) PERMIT SHIELD [WAQSR Ch 6, Sec 3 (k)]
Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance.

Source-Specific Permit Conditions

- (F2) VISIBLE EMISSION [WAQSR Ch 3, Sec 2 and Ch 6, Sec 2 Permit MD-433A]
 (a) The flare shall be operated with no visible emissions as determined by 40 CFR 60 Appendix B, Method 22, except for periods not to exceed a total of five minutes during any two consecutive hours.
 (b) Visible emissions from the units listed in Table II of this permit shall not exceed 20 percent opacity.
 (c) Visible emissions from each other single source shall not exhibit greater than 20 percent opacity except for one period or periods aggregating not more than six minutes in any one hour of not more than 40 percent opacity.
- (F3) PARTICULATE MATTER EMISSIONS (Modified February 28, 2006)
[WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030]
Particulate matter emissions from the units listed in Table I of this permit shall not exceed the specified limits.

| TABLE I. PARTICULATE EMISSION LIMITS (Modified February 28, 2006) | | | |
|--|------------------|-----------------------------------|-------|
| Unit ID | Unit Description | Particulate Matter Emission Limit | |
| | | (lb/hr) | (TPY) |
| H-03 | Crude Heater | 23.20 | 13.4 |
| H-19 | FCC Preheater | 31.1 | 136.0 |
| H-20 | CO Furnace | | |
| FCC | FCC Regenerator | | |

- (F4) NO_x EMISSIONS (Modified February 28, 2006)
[WAQSR Ch 6, Sec 2 Permits MD-433A, MD-1030 & MD-1132]
 (a) NO_x emissions from the units listed in Table II of this permit shall not exceed the specified limits.
 (b) The CO Furnace shall have burners with a manufacturer's guaranteed NO_x emission rate of 0.04 lb/MMBtu.

| TABLE II. NO_x EMISSION LIMITS (Modified February 28, 2006) (Modified February 21, 2007) | | | | |
|---|-------------------------|---------------------------------|---------|------------|
| Unit ID | Unit Description | NO _x Emission Limits | | |
| | | (lb/MMBtu) | (lb/hr) | (TPY) |
| H-01 | Prefract Heater | 0.23 | | 14.2 |
| H-02 | FCC Feed Heater | 0.23 | | 7.5 |
| H-03 | Crude Heater | 0.23 gas fired | | 24.4 |
| | | 0.60 oil fired | | |
| H-06 | Alkylation Reboiler | <u>0.03</u> | | <u>6.6</u> |
| H-07 & H-08 | Boiler #1 and Boiler #2 | 0.23 | | 3.6 |
| H-09 | Boiler #3 | 0.23 | | 18.1 |

| TABLE II. NO_x EMISSION LIMITS (Modified February 28, 2006) (Modified February 21, 2007) | | | | |
|---|---------------------------|---------------------------------|-------------|-------------|
| Unit ID | Unit Description | NO _x Emission Limits | | |
| | | (lb/MMBtu) | (lb/hr) | (TPY) |
| H-11 | Reformer Preheat | 0.20 | | 10.0 |
| H-12 | Reformer Reheat #1 | 0.20 | | 8.7 |
| H-13 | Reformer Reheat #2 | 0.20 | | 3.9 |
| H-14 | HDS Heater | 0.05 | | 4.0 |
| H-15 | Vacuum Flasher Heater | 0.20 | | 4.8 |
| H-16 | NHT Heater | 0.05 | | 3.1 |
| H-17 | Tank 19 Heater | 0.20 | | 1.3 |
| H-18 | Boiler #4 | 0.20 | | 3.2 |
| H-19 | FCC Preheater | | 18.2 | 69.8 |
| H-20 | CO Furnace | | | |
| FCC | FCC Regenerator | | | |
| H-21 | Truck Loadout Incinerator | | | 4.7 |

(F5) SO₂ EMISSIONS (Modified May 11, 2004) (Modified February 28, 2006)

[WAQSR Ch 6, Sec 2 Permits MD-433A, MD-1030 & MD-1132]

- (a) SO₂ emissions from the stacks listed in Table III of this permit shall not exceed the specified limits.
- (b) Fuel oil shall only be burned in the Crude Heater (unit H-03), and the cumulative annual SO₂ emissions (including fuel oil and fuel gas usage) from this heater shall not exceed 166.8 tons.

| TABLE III. SO₂ EMISSION LIMITS (Modified May 11, 2004) (Modified February 28, 2006) (Modified February 21, 2007) | | | | |
|--|------------------------|-------------|---------------------------------|------------|
| Unit ID | Unit Description | Stack ID | SO ₂ Emission Limits | |
| | | | (lb/hr) | (TPY) |
| H-01 | Prefrac Heater | S-01 | 62.3 | 97.0 |
| H-02 | FCC Feed Heater | S-04 | 0.7 | 3.1 |
| H-03 | Crude Heater | S-05 & S-06 | 90.0 | 166.8 |
| H-06 | Alkylation Reboiler | S-08 | 31.1 | 71.3 |
| H-07 & H-08 | Boiler #1 Boiler #2 | S-09 | 1.3 | 0.7 |
| H-09 | Boiler #3 | S-10 | 40.4 | 123.6 |
| H-11 | Reformer Preheater | S-13 | <u>0.5</u> | <u>1.2</u> |
| H-12 | Reformer Reheat #1 | S-14 | <u>0.5</u> | <u>0.9</u> |
| H-13 | Reformer Reheat #2 | S-15 | 0.3 | 0.7 |
| H-14 | HDS Heater | S-16 | 1.0 | 2.2 |
| H-15 | Vacuum Flasher Heater | S-17 | 0.2 | 0.8 |

| TABLE III. SO₂ EMISSION LIMITS (Modified May 11, 2004) (Modified February 28, 2006) (Modified February 21, 2007) | | | | |
|--|------------------|----------|---------------------------------|------------|
| Unit ID | Unit Description | Stack ID | SO ₂ Emission Limits | |
| | | | (lb/hr) | (TPY) |
| H-16 | NHT Heater | S-18 | <u>0.5</u> | <u>1.2</u> |
| H-17 | Tank 19 Heater | S-19 | 0.1 | 0.2 |
| H-18 | Boiler #4 | S-20 | 0.2 | 0.7 |
| H-19 | FCC Preheater | S-21 | 173.0 | 478.6 |
| H-20 | CO Furnace | | | |
| FCC | FCC Regenerator | | | |

(F6) CO EMISSIONS [WAQSR Ch 6, Sec 2 Permit MD-1132] (Modified February 28, 2006)
CO emissions from the units listed in Table IV of this permit shall not exceed the specified limits.

| TABLE IV. CO EMISSION LIMITS (Modified February 28, 2006) | | | |
|--|------------------|--------------------|-------|
| Unit ID | Unit Description | CO Emission Limits | |
| | | (lb/hr) | (TPY) |
| H-19 | FCC Preheater | 21.6 | 95.0 |
| H-20 | CO Furnace | | |
| FCC | FCC Regenerator | | |

(F7) **OPERATIONAL LIMITATIONS (Modified February 28, 2006)**
[WAQSR Ch 6, Sec 2 Permit MD-433A & MD-1030]
(a) The oxidizer vent of the LOCAT unit shall be routed to the flame zone of either Heater H-01 or Boiler H-09 during all periods the unit is in operational.
(b) **The ratio of fuel oil to gas burned in the Crude Heater (unit H-03) shall not exceed the highest ratio burned during a performance test, conducted as described by condition F10(b) and approved by the Division. A higher ratio may be burned after a performance test is conducted at that ratio and approved by the Division.**

(F8) THROUGHPUT LIMITS [WAQSR Ch 6, Sec 2 Permit MD-433A] (Modified February 21, 2007)
The Crude throughput of the Crude Unit shall not exceed 14,000 barrels per day based upon an annual average.

(F9) EQUIPMENT LEAKS OF VOC [WAQSR Ch, 6, Sec 2 Permit MD-433A]
(a) In order to meet BACT requirements, the fluid catalytic cracking (FCC) unit and associated equipment shall comply with the requirements of Chapter 5, Section 2 and 40 CFR 60 Subpart GGG.
(b) The permittee shall implement a leak detection and repair (LDAR) program equivalent to WAQSR Chapter 5, Section 2 and 40 CFR 60 Subpart GGG for all equipment, not subject to monitoring requirements under condition P60-GGG1, that are affected facilities under 40 CFR 60.590 and are currently exempt due to the date of construction.

Testing Requirements

(F10) FCC EMISSIONS AND CRUDE HEATER FUEL OIL TESTING (Modified February 28, 2006)
[WAQSR Ch 6, Sec 3 (h)(i)(C)(I) and Ch 6, Sec 2 Permit MD-1030]

- (a) The permittee shall test the FCC (Stack S-21) at least annually to assess compliance with the particulate emission limits in condition F3 of this permit. Methods 1- 5 shall be used to measure particulate matter emissions.
- (b) The permittee shall test the Crude Heater (unit H-03), while it is burning fuel oil for the first time, to determine NO_x emissions on a lb/MMBtu basis and particulate matter and SO₂ emissions on a lb/hr basis.
 - (i) Tests for each pollutant shall consist of 3 - 1 hour tests following Methods 1-4, 5, 7E, and 6C. Other methods may be used with the approval of the Division.
 - (ii) A test protocol shall be submitted for Division approval prior to testing.
 - (iii) **The ratio of fuel oil to gas burned shall be recorded during the test.**
- (c) Testing shall be conducted in accordance with WAQSR Chapter 5, Section 2 (h).

(F11) INITIAL PERFORMANCE TESTING (Modified February 28, 2006)
[WAQSR Ch 6, Sec 3 (h)(i)(C)(I), Ch 6, Sec 2 Permit MD-1132]

- (a) **For the modifications authorized by Permit MD-1132, initial performance tests for the HDS Heater (units H-14) and the FCC (Stack S-21) shall be conducted within 30 days of achieving the maximum design rate but not later than 90 days following initial start-up. If the maximum design rate is not achieved within 90 days of start-up, the Administrator may require testing at the rate achieved and again when the maximum rate is achieved.**
 - (i) **Each initial performance test shall consist of three 1-hour tests and use the following methods unless an alternative is approved in writing by the Division:**
 - (A) **For SO₂ emissions from the HDS Heater (unit H-14) Methods 1-4 and 6 shall be used to determine initial compliance with the 1.0 lb/hr emission limit stated in Table III of this permit.**
 - (B) **For NO_x emissions from the HDS Heater (unit H-14) Methods 1-4 and 7 or 7E shall be used to determine initial compliance with the 0.05 lb/MMBtu emission limit stated in Table II of this permit.**
 - (C) **For NO_x emissions from the FCC Preheater, CO Furnace and FCC Regenerator (Stack S-21) Methods 1-4 and 7 or 7E shall be used to determine initial compliance with the 18.2 lb/hr emission limit stated in Table II of this permit.**
 - (D) **For CO emissions from the FCC Preheater, CO Furnace and FCC Regenerator (Stack S-21) Methods 1-4 and 10 shall be used to determine initial compliance with the 21.6 lb/hr emission limit stated in Table IV of this permit.**
 - (ii) **A test protocol shall be submitted for Division approval prior to testing. Notification of the test date shall be provided to the Division 15 days prior to testing.**
- (b) **Testing shall be conducted in accordance with WAQSR Chapter 5, Section 2 (h).**

(F12) ADDITIONAL EMISSIONS TESTING [W.S. 35-11-110]

- (a) The Division reserves the right to require testing as provided under condition G1 of this permit. Should testing be required,
 - (i) Method 9 shall be used to measure visible emissions.
 - (ii) For particulate matter emissions Methods 1-4 and 5 or shall be used.
 - (iii) For SO₂ emissions Methods 1-4 and 6 shall be used.
 - (iv) For NO_x emissions sources Methods 1-4 and 7 or 7E shall be used.
 - (v) For CO emission sources Methods 1-4 and 10 shall be used.
 - (vi) For other pollutants, methods approved by the Administrator prior to testing shall be used to measure emissions.
- (b) Unless otherwise specified, testing shall be conducted in accordance with WAQSR Ch 5, Sec 2 (h).

Monitoring Requirements

(F13) VISIBLE EMISSIONS MONITORING [WAQSR Ch 6, Sec 3 (h)(i)(C)(I)]

- (a) The permittee shall conduct, at minimum, twice daily Method 9 observations of the FCC (Stack S-21) to measure the opacity of visible emissions. Compliance with opacity limits shall be determined by a qualified observer certified in accordance with Section 3.1 of Method 9 and shall follow the requirements and procedures of Method 9.
 - (i) One opacity observation shall be taken between 6:00 a.m. and noon, and the second reading shall be taken between noon and 6:00 p.m.
 - (ii) There shall be at least a one hour delay between the first and second opacity observation unless additional observations are being made which cover a time interval of at least one hour.
 - (iii) If weather conditions prevent an observation from being made in accordance with Method 9 procedures, the visible emissions observer shall document those conditions.
- (b) (i) The permittee shall conduct, at minimum, weekly Method 22 visual observations of the Truck Loadout Incinerator (H-21) at the gasoline loading rack to detect the presence of visible emissions. The Method 22 test shall be performed for a period of 6 consecutive minutes while the Truck Loadout Incinerator is in operation. The Method 22 visual observations shall be conducted by a person who is educated on the general procedures for determining the presence of visible emissions but not necessarily certified to perform Method 9 observations.
 - (ii) If visible emissions are observed during the 6-minute period of the Method 22 observations, a Method 9 observation shall be performed while the Truck Loadout Incinerator is in operation. Compliance with opacity limits shall be determined by a qualified observer certified in accordance with Section 3.1 of Method 9 and shall follow the requirements and procedures of Method 9.
- (c) During each quarter the Crude Heater (H-03) is fired on fuel oil the permittee shall conduct, at minimum, a Method 9 observation to measure the opacity of visible emissions. Additionally, for any other day that fuel oil is fired, the permittee shall make daily observations of visible emissions from the stack to assure compliance with the opacity limit specified in condition F2. The daily observations shall be conducted by a person who is educated in the general procedures for determining visible emissions but not necessarily certified to perform Method 9 observations.
 - (i) If the opacity of visible emissions from the daily observation approaches the limit under condition F2, a Method 9 observation shall be performed.
 - (ii) Compliance with the opacity limit shall be determined by a qualified observer certified in accordance with Section 3.1 of Method 9 and shall follow the requirements and procedures of Method 9.
 - (iii) If visibility or weather conditions prevent the daily opacity observation from being conducted, the daily observation shall be rescheduled to as soon after the visibility or weather conditions improve as possible. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observation from being made in accordance with the procedures in Method 9 as contained in 40 CFR 60, Appendix A. The permittee shall document weather conditions that hamper the observation.
 - (iv) Visible emissions monitoring of the heater is not required when fuel oil is not being fired; in lieu of periodic Method 9 monitoring for visible emissions from the heater, the permittee shall monitor the type of fuel used to ensure refinery fuel gas or natural gas is the sole fuel source for the unit.
- (d) The permittee shall perform, at minimum, monthly Method 22 tests of the flare (unit FLARE). The Method 22 tests shall be performed for a period of 15 consecutive minutes. If any visible emissions are observed during the 15-minute period, the test shall continue for two consecutive hours. The pilot on the flare shall be monitored for the presence of a flame.
- (e) In lieu of periodic monitoring for visible emissions from the other fuel fired sources the permittee shall monitor the type of fuel used to ensure gas is the sole fuel source for these units.

- (F14) PARTICULATE EMISSIONS MONITORING [WAQSR Ch 6, Sec 3 (h)(i)(C)(I)]
- (a) Periodic monitoring of particulate emissions from the FCC (stack S-21) consists of the testing required under condition F10 of this permit.
 - (b) Periodic monitoring of particulate emissions from the Crude Heater (unit H-03) shall consist of monitoring fuel oil usage and maintaining the unit in accordance with the manufacturer's specifications and recommendations. The permittee shall calculate annual emissions based upon the fuel oil usage and the results obtained from the testing conducted while firing fuel oil for the first time as required under condition F10 of this permit.
- (F15) NO_x, SO₂, AND CO FCC EMISSIONS MONITORING (Modified February 28, 2006)
[WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 and Ch 7, Sec 3]
- (a) Periodic monitoring of NO_x and SO₂ emissions from the FCC (Stack S-21) shall consist of operating certified continuous NO_x and SO₂ emissions monitors and a flow rate monitor on the common stack for the FCC Preheater, CO Furnace, and FCC Unit to determine compliance with the allowable emission rates specified under conditions F4 and F5 of this permit. The monitoring systems shall demonstrate linearity, be certified in terms of ppmv and lb/hr, and meet the quality assurance requirements of 40 CFR 60, Appendix F.
 - (b) **Compliance with the annual NO_x and SO₂ emission limits listed in conditions F4 and F5 of this permit shall be determined by summing the hourly average emission rates from the CEMS required by paragraph (a) of this condition.**
 - (i) All calculations shall be based on actual operating hours.
 - (ii) All calculations shall use recorded data or data substituted as follows:
 - (A) For durations of monitor downtime less than or equal to 24 hours, the average hourly rate recorded during the 24 hours preceding the monitor downtime event shall be substituted for the missing data.
 - (B) For durations of monitor downtime greater than 24 hours, the 90th percentile of hourly rates recorded during the 90 days preceding the downtime event shall be substituted for the missing data.
 - (c) Compliance Assurance Monitoring (CAM) of CO emissions from the FCC (Stack S-21) shall consist of operating a certified continuous CO emissions monitor and flow rate monitor on the common stack for the FCC Preheater, CO Furnace, and FCC Unit to determine compliance with the allowable emission rates specified under condition F6 of this permit. The monitoring system will demonstrate linearity, shall be certified in terms of lb/hr, and shall meet the quality assurance requirements of 40 CFR 60, Appendix F. The permittee shall adhere to the CAM plan attached as Appendix I of this permit and shall follow all other applicable requirements under conditions CAM-1 through CAM-5 of this permit.
- (F16) FUEL MONITORING (Modified February 28, 2006)
[WAQSR Ch 6, Sec 2 Permit MD-433A & WAQSR Ch 6, Sec 3 (h)(i)(C)(I)]
The permittee shall monitor fuel oil and fuel gas usage as follows:
- (a) Fuel Oil
 - (i) The Crude Heater (unit H-03) shall be equipped with a fuel oil meter to continuously record fuel oil usage.
 - (A) The fuel oil meter shall be maintained according to manufacturer's recommendations.
 - (B) Annually, the permittee shall verify the accuracy of the meter utilizing Reference Test Methods 1-4, and 19. Upon verification, the moisture content of the exhaust stack may be theoretically calculated or assumed based upon previous testing. Initially, an acceptable correlation between fuel consumption, measured by the meter and calculated based on testing is 10 percent. After two years testing, the results will be lowered if deemed appropriate. The permittee may submit for Division approval an alternate method for determining the accuracy of the meter.
 - (ii) While the crude heater (unit H-03) is burning fuel oil, the fuel oil Tank 9 shall not be charged.

- (iii) Fuel oil from the tank supplying fuel oil to the heater (Tank 9) shall be grab sampled once each day that the fuel oil is being burned in the crude heater. Each fuel oil sample shall be analyzed for sulfur content according to method ASTM D 4294, API gravity, **and heat content.**
 - (iv) **The ratio of fuel oil to gas burned in the Crude Heater (unit H-03) shall be monitored any time fuel oil is burned.**
- (b) Fuel Gas
- (i) A fuel gas meter shall be installed on each heater and boiler burning fuel gas listed in tables II or III of this permit, except for the FCC Preheater and CO furnace. Fuel consumption for each source shall be recorded continuously.
 - (A) Each fuel gas meter shall be maintained according to manufacturer's recommendations.
 - (B) Annually, the permittee shall verify the accuracy of each meter utilizing Methods 1-4, and 19. Upon verification, the moisture content of the exhaust stack may be theoretically calculated or assumed based upon previous testing. Initially, an acceptable correlation between fuel consumption, in terms of cubic feet per hour, measured by the meter and calculated based on testing is 10 percent. After two years testing, the results will be lowered if deemed appropriate. The permittee may submit for Division approval an alternate method for determining the accuracy of the meters.
 - (ii) The permittee shall continue to maintain and operate the H₂S fuel gas monitors on the NSPS fuel gas system and the sour fuel gas system. Both monitors shall comply with the requirements of 40 CFR 60, Appendix F and shall operate in accordance with a Division approved quality assurance program.
 - (A) The monitoring systems shall comply with the requirements of WAQSR Chapter 5, Section 2 (j).
 - (B) The monitoring systems shall determine average hourly H₂S concentrations to calculate emissions.
 - (iii) The permittee shall continue to maintain and operate meters to determine the heat content (Btu/scf) of the NSPS fuel gas system and the sour fuel gas system.
 - (A) The meters shall be maintained in accordance with manufacturer's recommendations.
 - (B) Annually the permittee shall verify the accuracy of the meters using a gas chromatograph (GC).
- (F17) NO_x AND SO₂ HEATER AND BOILER EMISSIONS MONITORING (**Modified February 28, 2006**)
 [WAQSR Ch 6, Sec 2 Permit MD-433A, Ch 6, Sec 3 (h)(i)(C)(I), and Ch 7, Sec 3]
 The permittee shall monitor SO₂ and NO_x emissions from the fuel burning equipment, except for the CO Furnace and the FCC Preheater, by the methodology described in this condition for comparison with the emission limits in conditions F4 and F5.
- (a) NO_x emissions monitoring shall consist of:
 - (i) For fuel gas: the hourly fuel gas consumption, hourly heat content average of the fuel gas and the lb/MMBtu NO_x emission factor as determined in paragraph (iii) or (iv) below. **Annual emissions shall be determined by summing the hourly emission averages.**
 - (ii) For fuel oil: the hourly fuel consumption, heat content from the daily grab sample from Tank 9, and the lb/MMBtu NO_x emission factor as determined in paragraph (iii) or (iv) below. **Annual emissions shall be determined by summing the hourly emission averages.**
 - (iii) Annually, actual lb/MMBtu NO_x emission factors shall be determined while the heaters are firing near the maximum expected firing rate using EPA Reference Methods 1-4 and 19, or a portable analyzer following the Division's Portable Analyzer Protocol. (The Division's portable analyzer protocol is attached as Appendix A of this permit.) The annual testing frequency for each heater may be revised administratively by the Division upon review of the test reports. Notification of the test date(s) shall be provided to the Division 15 days prior to testing, and results shall be submitted to the Division within 30 days of completion.

- (iv) The permittee may utilize the allowable lb/MMBtu NO_x emission rates set forth in Table II of this permit.
 - (v) The permittee shall provide notification by January 15th of each calendar year on whether the method in paragraph (iii) or paragraph (iv) will be used.
 - (vi) Additionally, the permittee shall operate and maintain the fuel burning equipment in accordance with the manufacturer's specifications and recommendations so the NO_x emission limits in condition F4 of this permit are not exceeded.
 - (vii) **The permittee shall monitor the flow rate of steam into the fire box of the Reformer Reheater #2 (unit H-13) using a flow meter on the steam line.**
- (b) SO₂ emissions monitoring shall consist of:
- (i) For fuel gas: Hourly SO₂ emissions shall be calculated based on the hourly fuel consumption and H₂S content averages. Annual emissions shall be determined by summing the hourly emission averages.
 - (ii) For fuel oil: Hourly SO₂ emissions shall be calculated based on the hourly fuel consumptions and the fuel oil density based on the API gravity, and the sulfur content from the daily grab sample from tank 9. Annual emissions shall be determined by summing the hourly emission averages.
 - (iii) **For the boilers and heaters subject to Compliance Assurance Monitoring (CAM) (units H-01, H-02, H-03, H-06, H-07, H-08, H-09, H-11, H-12, H-13, H-14, H-15 & H-16) the permittee shall adhere to the CAM plan attached as Appendix I of this permit. The permittee shall also follow all other applicable requirements under conditions CAM-1 through CAM-4 of this permit.**
- (c) **All emission calculations shall be based on actual operating hours and use recorded data. For calculating annual emissions, missing data shall be substituted as follows:**
- (i) **For durations of monitor downtime less than or equal to 24 hours, the average hourly rate recorded during the 24 hours preceding the monitor downtime event shall be substituted for the missing data.**
 - (ii) **For durations of monitor downtime greater than 24 hours, the 90th percentile of hourly rates recorded during the 90 days preceding the downtime event shall be substituted for the missing data.**
- (F18) **PROCESS RATE AND GASOLINE LOADING RACK NO_x MONITORING (Modified February 28, 2006) [WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 and Ch 6, Sec 3 (h)(i)(C)(I)] (Modified February 21, 2007)**
- (a) The permittee shall monitor the crude throughput to ensure that the limit specified in condition F8 of this permit of 14,000 bbl/day calculated as an annual average is not exceeded. **Compliance shall be determined by averaging the monthly crude charge rates during the calendar year. The monthly crude rate shall be determined by dividing the total raw crude charge for the month by the number of calendar days in that month.**
 - (b) The permittee shall monitor the amount of product loaded at the gasoline loading rack (unit RACK). The amount of product loaded each year shall be used in conjunction with a Division accepted emission factor developed during a performance test (pounds NO_x per gallon of product loaded) to assess compliance with the emission limit set under condition F4 of this permit for the Truck Loadout Incinerator (unit H-21) controlling the gasoline loading rack.
- (F19) **VOC EQUIPMENT LEAKS MONITORING [WAQSR Ch 6, Sec 2 Permit MD-433A]**
- (a) The fluid catalytic cracking (FCC) unit and associated equipment, shall comply with all monitoring requirements of 40 CFR 60 Subpart GGG.
 - (b) The permittee shall conduct a leak detection and repair (LDAR) program equivalent to 40 CFR 60 Subpart GGG for all equipment not subject to monitoring requirements under conditions F19 (a) or P60-GGG1 of this permit, that are affected facilities under 40 CFR 60.590 and are currently exempt due to the date of construction.

- (F20) **AMBIENT SO₂ AND METEOROLOGICAL MONITORING (Modified February 28, 2006)**
[WAQSR Ch 6, Sec 2 Permit MD-1132 and Ch 6, Sec 3 (h)(i)(C)(I)]
The permittee shall operate an approved ambient SO₂ monitoring program in accordance with the requirements of 40 CFR Parts 50 and 58. The ambient SO₂ monitoring program shall include an ambient SO₂ monitoring network with wind speed and direction instrumentation. The permittee shall maintain a quality assurance plan for the monitoring network, as required by 40 CFR Part 58 and approved by the Division.

Recordkeeping Requirements

- (F21) **TESTING AND MONITORING RECORDS (Modified February 28, 2006)**
[WAQSR Ch 6, Sec 3 (h)(i)(C)(II); Ch 7, Sec 3 (i)(ii); & Ch 6, Sec 2 Permit MD-1030]
- (a) For the emissions testing required under conditions F10 and F11, the monitoring required under conditions **F16(a)(i)(B), F16(a)(iii), F16(b)(i)(B), F16(b)(iii)(B), and F17(a)(iii)**, and for any additional testing required by the Division under condition F12, other than Method 9 observations, the permittee shall record, as applicable, the following:
 - (i) The date, place, and time of sampling or measurements;
 - (ii) The date(s) the analyses were performed;
 - (iii) The company or entity that performed the analyses;
 - (iv) The analytical techniques or methods used;
 - (v) The results of such analyses; and
 - (vi) The operating conditions as they existed at the time of sampling or measurement.
 - (vii) **For the Crude Heater (unit H-03) testing required by condition F10(b), the permittee shall also record the ratio of fuel oil to gas burned during the test.**
 - (b) For any Method 9 visible emissions observations required under condition F13, and for any other Method 9 observations required by the Division under condition F12, the permittee shall keep field records in accordance with Section 2.2 of Method 9.
 - (c) For the Method 22 observations required under condition F13, the permittee shall keep field records in accordance with Sections 11.2 and 11.5 of Method 22.
 - (d) For the CAM (Compliance Assurance Monitoring) required under condition F17, the permittee shall also maintain records of corrective actions taken, any written Quality Improvement Plan required pursuant to WAQSR Chapter 7, Section 3 (h), any activities undertaken to implement a QIP, and other supporting information required to be maintained under WAQSR Chapter 7, Section 3.
 - (e) The permittee shall retain on-site at the facility the record of each test, measurement, or observation and support information for a period of at least five years from the date of the test, measurement, or observation.
- (F22) **MAINTENANCE RECORDS (Modified February 28, 2006)**
[WAQSR Ch 6, Sec 2 Permit MD-433A and Ch 6, Sec 3 (h)(i)(C)(II)]
- (a) The permittee shall record all maintenance activities performed as specified in conditions F14 (b), F16 **and F17(a)** of this permit.
 - (b) The record of maintenance activities for each unit shall include:
 - (i) The maintenance activity performed;
 - (ii) The date, place, and time the activity was performed;
 - (iii) The company and individual(s) that performed the activity;
 - (iv) The purpose of the activity; and
 - (v) An explanation for any deviation from the manufacturer's recommendations.
 - (c) The permittee shall retain on-site at the facility the record of each maintenance activity for each unit for a period of at least five years from the date of the maintenance activity.
- (F23) **CONTINUOUS EMISSIONS AND FUEL MONITORING RECORDS** [WAQSR Ch 6, Sec 3 (h)(i)(C)(II); Ch 7, Sec 3 (i)(ii); and Ch 6, Sec 2 Permit MD-1030 and Waiver AP-2113] (Modified February 28, 2006)
- (a) Recordkeeping for the continuous H₂S emissions monitoring of the NSPS fuel gas system shall comply with the requirements of WAQSR Chapter 5, Section 2 (g), as specified in condition P60-J2.

- (b) For the continuous SO₂, NO_x and CO emissions monitoring systems on the FCC, H₂S emissions monitoring of the non-NSPS fuel gas system, **and monitoring of fuel usage required by condition F16**, records shall be maintained of all measurements from the continuous monitoring system, performance testing measurements, performance audits, calibration checks, and maintenance performed on the system.
- (c) **The permittee shall record the ratio of fuel oil to gas burned in the Crude Heater (unit H-03) any time fuel oil is burned.**
- (d) **For calculation of hourly and annual NO_x and SO₂ emissions from fuel burning equipment and the FCC (Stack S-21), the permittee shall maintain records of the following:**
 - (i) **Average hourly emission rates as measured by the CEMS required by condition F15(a).**
 - (ii) **All calculations for the annual emission rates as described by condition F15(b).**
 - (iii) **All data used to calculate hourly and annual NO_x and SO₂ emissions from the fuel burning equipment as described in condition F17.**
- (e) **The permittee shall record the flow rate of steam into the fire box of the Reformer Reheater #2 (unit H-13).**
- (f) For the CAM (Compliance Assurance Monitoring) required under conditions F15 and F17, the permittee shall also maintain records of corrective actions taken, any written Quality Improvement Plan (QIP) required pursuant to WAQSR Chapter 7, Section 3(h), any activities undertaken to implement a QIP, and other supporting information required to be maintained under WAQSR Chapter 7, Section 3.
- (g) The permittee shall retain on-site at the facility the records specified under this condition for a period of at least five years from the date such records are generated.

(F24) **OXIDIZER VENT CONTROL RECORDS**

[WAQSR Ch 6, Sec 2 Permit MD-433A and Ch 6, Sec 3 (h)(i)(C)(II)]

- (a) The permittee shall record when the vent of the LOCAT unit is not combusted in the flame zone of either Heater H-01 or Boiler H-09 during all periods the LOCAT unit is in operation.
- (b) The permittee shall retain on-site at the facility the records specified under this condition for a period of at least five years from the date such records are generated.

(F25) **PROCESS RATE AND GASOLINE LOADING MONITORING RECORDS (Modified February 28, 2006)**

[WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 and Ch 6, Sec 3 (h)(i)(C)(II)]

- (a) The permittee shall maintain records of the **daily average crude charge rates calculated as described in condition F18(a) of this permit, including the raw crude charge for each month.**
- (b) **The permittee shall maintain the records of the amount of product loaded each calendar year at the gasoline loading rack, the emission factor used to calculate NO_x emissions as described in condition F18(b) of this permit, and the calculated annual NO_x emissions from the gasoline loading rack.**
- (c) The permittee shall retain on-site at the facility all records kept in accordance with this condition for a period of at least five years from the date such records are generated.

(F26) **VOC EQUIPMENT LEAKS MONITORING RECORDS (Modified February 28, 2006)**

[WAQSR Ch 6, Sec 2 Permit MD-433A and Ch 6, Sec 3 (h)(i)(C)(II)]

For the monitoring conducted under condition F19 of this permit, the permittee **shall** meet the recordkeeping requirements specified in §60.486.

(F27) **AMBIENT SO₂ AND METEOROLOGICAL MONITORING RECORDS (Modified February 28, 2006)**

[WAQSR Ch 6, Sec 3 (h)(i)(C)(II)]

- (a) The permittee shall maintain records of the data generated by the ambient SO₂ monitoring network and the meteorological station such that compliance with condition F20 can be assessed.
- (b) The permittee shall retain on-site at the facility all ambient SO₂ and meteorological monitoring records kept in accordance with this condition for a period of at least five years from the date such records are generated.

Reporting Requirements

(F28) TESTING AND MONITORING REPORTS (Modified February 28, 2006)

[WAQSR Ch 6, Sec 3 (h)(i)(C)(III) and Ch 7, Sec 3]

- (a) The permittee shall submit a test report of the testing required under condition F10 and any additional testing required under condition F12 of this permit within 30 days of completing the testing.
- (b) The following shall be reported to the Division by January 31 and July 31 each year:
 - (i) Summary results of the crude heater (**unit H-03**) visible emissions monitoring while firing on oil, and flare visible emissions monitoring required under condition F13 of this permit; only monitoring during which visible emissions are observed, and any corrective actions taken upon observing visible emissions, shall be included in the report. If no visible emissions are observed during the reporting period, this shall be stated in the report.
 - (ii) Summary results of the visible emissions monitoring for the FCC (stack 21) and Truck Loadout Incinerator at the gasoline loading rack required under condition F13 of this permit: each opacity measurement and any corrective actions taken upon detecting noncompliance with opacity limitations shall be included in the report.
 - (iii) Documentation the boilers and heaters are firing only gas as specified under condition F13 (e) of this permit.
 - (iv) A report that itemizes all time periods when the oxidizer vent was operational but was not controlled by either heater H-01 or H-09. If the oxidizer vent was controlled at all times this shall be stated in the report.
 - (v) **A fuel oil ratio compliance report for the crude heater (unit H-03). The report shall list the highest fuel oil to gas ratio burned during a performance test approved by the Division, the date of the test, and the highest fuel oil to gas ratio burned during the reporting period. If no fuel oil was burned during the reporting period, this shall be stated in the report.**
- (c) All instances of deviations from the conditions of this permit must be clearly identified in each report.
- (d) The reports shall be submitted in accordance with condition G4 of this permit.

(F29) SEMIANNUAL MAINTENANCE REPORTS (Modified February 28, 2006)

[WAQSR Ch 6, Sec 3 (h)(i)(C)(III)]

- (a) The permittee shall report to the Division by January 31 and July 31 each year whether the permittee has adhered to the manufacturers' specifications and recommendations for maintaining the crude heater, fuel oil meter(s), fuel gas meter(s), fuel gas system heat content meters, **and the fuel burning equipment** as required by conditions F14 (b), F16 **and F17(a)** of this permit.
- (b) Any deviations from the manufacturers' specifications and recommendations for maintaining these units must be clearly identified in each report.
- (c) If the permittee has adhered to the manufacturers' specifications and recommendations for maintaining these units during the reporting period, this shall be stated in the report.
- (d) The reports shall be submitted to the Division in accordance with condition G4 of this permit.

(F30) SO₂ AND NO_x HEATER EMISSIONS MONITORING REPORTS AND NOTIFICATIONS

[WAQSR Ch 6, Sec 2 Permit MD-433A, WAQSR Ch 6, Sec 3 (h)(i)(C)(III), and Ch 7, Sec 3 (i)(i)]

- (a) The permittee shall report the year-to-date SO₂ and NO_x emissions for each heater and boiler listed in table II and III of this permit on a quarterly basis within 30 days of the end of the calendar quarter.
- (b) The following shall be reported to the Division by January 31 and July 31 each year:
 - (i) A summary report of the NO_x emissions from the units listed in table II of this permit. Only exceedances of the emission limits specified in table II of this permit shall be included in the report.
 - (ii) A summary report of the SO₂ emissions from the units listed in table III of this permit that are not subject to CAM (units H-17 and H-18). Only exceedances of the emission limits specified in table III of this permit shall be included in the report.
- (c) The following shall be reported to the Division by January 31 and July 31 each year: The results of Compliance Assurance Monitoring (CAM) required under condition F17 of this permit for SO₂ controlled equipment, that shall include the following:

- (i) Summary information on the number, duration, and cause of excursions, as applicable, and the corrective actions taken;
 - (ii) Summary information on the number, duration, and cause for monitor downtime incidents; and
 - (iii) A description of the action taken to implement a QIP (if required) during the reporting period as specified in Chapter 7, Section 3 (h). Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has reduced the likelihood of similar excursions.
- (d) All instances of deviations from the conditions of this permit must be clearly identified in each report.
 - (e) The quarterly and semiannual reports shall be submitted in accordance with condition G4 of this permit.

(F31) PROCESS RATE AND GASOLINE LOADING RACK NO_x MONITORING REPORTS

[WAQSR Ch 6, Sec 3 (h)(i)(C)(III)]

- (a) The following shall be submitted to the Division by January 31 each year:
 - (i) The throughput of the crude unit for the previous calendar year.
 - (ii) The throughput of the gasoline loading rack for the previous calendar year and the NO_x emissions calculations required under condition F18 of this permit.
- (b) All instances of deviations from the conditions of this permit must be clearly identified in each report.
- (c) The reports shall be submitted to the Division in accordance with condition G4 of this permit.

(F32) VOC EQUIPMENT LEAKS MONITORING REPORTS

[WAQSR Ch 6, Sec 2 Permit MD-433A and Ch 6, Sec 3 (h)(i)(C)(III)]

For the monitoring conducted under condition F19 of this permit the permittee **shall** meet the reporting requirements specified in §60.487.

(F33) EXCESS EMISSIONS AND MONITORING SYSTEM PERFORMANCE REPORTS

[WAQSR Ch 6, Sec 2 Permit MD-433A and Ch 6, Sec 3 (h)(i)(C)(III)] **(Modified February 28, 2006)**

- (a) Excess emissions reporting for the continuous SO₂, NO_x and CO monitoring systems on the FCC shall comply with the requirements of WAQSR Chapter 5, Section 2.
- (b) For the purpose of reporting under this condition, excess emissions are defined as follows:
 - (i) For SO₂, any one hour period when the average SO₂ mass emissions exceed 173.0 lb/hr or **any calendar year when SO₂ emissions exceed 478.6 TPY**. Compliance with the 478.6 TPY SO₂ emission limit will be determined **as described in condition F15(b) of this permit**.
 - (ii) For NO_x, any one hour period when the average NO_x emissions exceed 18.2 lb/hr or **any calendar year when NO_x emissions exceed 69.8 TPY**. Compliance with the 69.8 TPY NO_x emission limit will be determined **as described in condition F15(b) of this permit**.
 - (iii) For CO, any one hour period when average CO emissions exceed 21.6 lb/hr.
- (c) The permittee shall submit an excess emissions and monitoring systems performance report to the Administrator quarterly. All reports shall be postmarked by the 30th day following the end of each calendar quarter. Written reports of excess emissions shall include the following information:
 - (i) The magnitude of excess emissions computed in lb/hr **(or TPY if appropriate)**, any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions.
 - (ii) Specific identification of each period of excess emissions that occurs during start-ups, shutdowns, malfunctions of the units listed in paragraph (a) of this condition. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - (iii) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - (iv) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

- (v) One summary report form shall be submitted for each pollutant, in a format approved by the Division.
 - (vi) Additionally, for the CO CAM plan required by condition F15(c) of this permit:
 - (A) Summary information on the number, duration, and cause of excursions, as applicable, and the corrective actions taken;
 - (B) Summary information on the number, duration, and cause for monitor downtime incidents; and
 - (C) A description of the actions taken to implement a QIP (if required) during the reporting period. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has reduced the likelihood of similar excursions.
 - (d) Excess emissions reporting requirements for sulfur dioxide emissions from the NSPS heaters and the CO Furnace are specified in condition P60-J3 of this permit.
 - (e) The reports shall be submitted to the Division in accordance with condition G4 of this permit.
- (F34) **REPORTING EXCESS EMISSIONS & DEVIATIONS FROM PERMIT REQUIREMENTS**
 [WAQSR Ch 6, Sec 3 (h)(i)(C)(III)] (Modified February 28, 2006) (Modified February 22, 2007)
- (a) General reporting requirements are described under the General Conditions of this permit. The Division reserves the right to require reports as provided under condition G1 of this permit.
 - (b) Emissions which exceed the limits specified in this permit and that are not reported to the Division under a different condition of this permit, shall be reported annually with the emission inventory unless specifically superseded by condition G17, condition G19, or other condition(s) of this permit. The probable cause of such exceedance, the duration of the exceedance, the magnitude of the exceedance, and any corrective actions or preventative measures taken shall be included in this annual report. For sources and pollutants which are not continuously monitored, if at any time emissions exceed the limits specified in this permit by 100 percent, or if a single episode of emission limit exceedance spans a period of 24 hours or more, such exceedance shall be reported to the Division within one working day of the exceedance. (Excess emissions due to an emergency shall be reported as specified in condition G17. Excess emissions due to abnormal conditions or equipment malfunction shall be reported as specified in condition G19.)
 - (c) Any other deviation from the conditions of this permit shall be reported to the Division in writing within 30 days of the deviation or discovery of the deviation.
- (F35) **QUARTERLY AMBIENT SO₂ & METEOROLOGICAL MONITORING REPORTS**
 [WAQSR Ch 6, Sec 3 (h)(i)(C)(III) and Ch 6, Sec 2 Permit MD-1132] (Modified February 28, 2006)
- (a) The ambient SO₂ and meteorological data retained in accordance with condition F27 of this permit shall be submitted to the Division in an acceptable format within 60 days of the end of each calendar quarter.
 - (b) The reports shall be submitted to the Division in accordance with condition G4 of this permit.
- (F36) **INITIAL PERFORMANCE TESTING REPORTS AND OTHER NOTIFICATIONS**
 [WAQSR Ch 6, Sec 3 (h)(i)(C)(III); & Ch 6, Sec 2 Permit MD-1132] (Modified February 28, 2006)
- (a) The permittee shall submit a test report of the initial performance testing required under condition F11 of this permit within 30 days of completing the testing. The report shall include the information recorded under condition F21(a) of this permit.
 - (b) The permittee shall report the date of commencement of construction of the modification authorized by permit MD-1132 to the Administrator within 30 days of such date.
 - (i) Authorization to construct or modify under Permit MD-1132 shall become invalid if construction or modification is discontinued for a period of 24 months or more in accordance with Chapter 6, Section 2(h) of the WAQSR.
 - (ii) The administrator may extend the time period described in paragraph (i) above, upon a satisfactory showing that an extension is justified.
 - (c) For the modifications authorized by permit MD-1132, in accordance with Chapter 6, Section 2(i), the permittee shall furnish the Administrator written notification of the following:

- (i) The anticipated date of initial start-up not more than 60 days or less than 30 days prior to such date.
- (ii) The actual date of initial start-up within 15 days after such date.
- (d) The reports shall be submitted to the Division in accordance with condition G4 of this permit.

Accidental Release Prevention Requirements

(F37) ACCIDENTAL RELEASE PREVENTION REQUIREMENTS [40 CFR Part 68]

- (a) The permittee shall meet all requirements of 40 CFR Part 68 as they apply to the facility.
- (b) The permittee shall submit, as part of the annual compliance certification submitted under condition C1 of this permit, a certification statement concerning the facility's compliance with all requirements of 40 CFR Part 68 including the registration and submission of a Risk Management Plan.

Sulfur Dioxide Emissions Inventory Requirements [WAQSR Ch 14, Sec 3] (Modified February 28, 2006)

- (F38) (a) The permittee shall report SO₂ emissions annually as required by WAQSR Chapter 14, Section 3. SO₂ emissions shall be estimated in accordance with Chapter 14, Section 3(b), and adjusted in accordance with Chapter 14, Section 3(c) if necessary.
- (b) Sulfur Dioxide Emission Inventory Records.
 - (i) The permittee shall maintain all records used in the calculation of SO₂ emissions, including but not limited to the following:
 - (A) Amount of fuel consumed;
 - (B) Percent sulfur content of fuel and how the content was determined;
 - (C) Quantity of product produced;
 - (D) Emissions monitoring data;
 - (E) Operating data; and
 - (F) How the emissions are calculated, including monitoring/estimation methodology with a demonstration that the selected methodology is acceptable under Chapter 14, Section 3.
 - (ii) The permittee shall maintain records of any physical changes to facility operations or equipment, or any other changes (e.g. raw material or feed) that may affect emissions projections of SO₂.
 - (iii) The permittee shall retain all records and support information for compliance with this condition for a period of *at least ten (10) years* from the date of establishment, or if the record was the basis for an adjustment to the milestone, five years after the date of an implementation plan revision, whichever is longer.
- (c) Sulfur Dioxide Emission Inventory Reports.
 - (i) The permittee shall report calendar year SO₂ emissions by April 15th of the following year. The inventory shall be submitted in the format specified by the Division.
 - (ii) Emissions from startup, shutdown, and upset conditions shall be included in the inventory.
 - (iii) If the permittee uses a different emission monitoring or calculation method than was used to report SO₂ emissions in 1998, the permittee shall adjust reported SO₂ emissions to be comparable to the emission monitoring or calculation method that was used in 1998. The calculations that are used to make this adjustment shall be included with the annual emission report.
 - (iv) The annual reports shall be submitted in accordance with condition G4 of this permit.

WAQSR CHAPTER 5, SECTION 2 NEW SOURCE PERFORMANCE STANDARDS (NSPS)
AND 40 CFR 60 SUBPART J REQUIREMENTS

(Subpart J is provided in Appendix B)

(Modified February 28, 2006)

(P60-J1) SUBPART J REQUIREMENTS

[40 CFR 60 Subpart J; WAQSR Ch 5 Sec 2; and Ch 6, Sec 2 Permits MD-433A & MD-1132]

The permittee shall meet all requirements of 40 CFR 60 Subpart J, Standards of Performance for Petroleum Refineries, and WAQSR Ch 5 Sec 2, as they apply to the NSPS **heaters and the CO Furnace** (units H-11, H-12, H-13, H-14, H-15, H-16, H-17, H-18, H-19, **and H-20**).

- (a) The permittee shall meet the standards specified in §60.104 (a)(1).
- (b) The permittee shall meet all monitoring requirements specified in §60.105 (a)(4).

(P60-J2) RECORDKEEPING [WAQSR Ch 6, Sec 2 Permit MD-433A and Ch 5, Sec 2 (g)(ii) and (g)(v)]

- (a) Recordkeeping for the continuous H₂S monitoring system required under condition P60-J1(b) of this permit shall comply with the requirements of WAQSR Chapter 5, Section 2 (g).
- (b) The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the NSPS **heaters and the CO Furnace**; any malfunction of the air pollution control equipment; or any periods during which the continuous monitoring system is inoperative. These records shall be retained on-site at the facility for a period of at least five years from the date of such occurrences.
- (c) The permittee shall maintain records of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by the **P60** conditions of this permit, recorded in a permanent form suitable for inspection. These records shall be retained on-site at the facility for a period of at least five years from the date such records are generated.

(P60-J3) EXCESS EMISSIONS AND MONITORING SYSTEM PERFORMANCE REPORTS

[WAQSR Ch 5, Sec 2 (g)(iii) and (iv) and Ch 6, Sec 2 Permit MD-433A]

- (a) The permittee shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in paragraph (b) of this condition) and/or a summary report form (see paragraph (a)(v) of this condition) to the Administrator quarterly. All reports shall be postmarked by the 30th day following the end of each calendar quarter. Written reports of excess emissions shall include the following information:
 - (i) The magnitude of excess emissions computed in accordance with WAQSR Chapter 5, Section 2 (j)(viii), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
 - (ii) Specific identification of each period of excess emissions that occurs during start-ups, shutdowns, malfunctions of the NSPS **heaters and the CO Furnace**. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - (iii) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - (iv) When no excess emissions have occurred or the continuous monitoring system(s) have not been in operative, repaired, or adjusted, such information shall be stated in the report.
 - (v) One summary report form for each pollutant monitored at each affected facility in a format approved by the Division.
 - (A) If the total duration of excess emissions for the reporting period is less than one percent of the total operating time for the reporting period and continuous monitoring system downtime for the reporting period is less than five percent of the total operating time for the reporting period, only the summary report form shall be

submitted and the excess emission report described in paragraph (a) of this condition need not be submitted unless requested by the Administrator.

- (B) If the total duration of excess emissions for the reporting period is one percent or greater of the total operating time for the reporting period or the total continuous monitoring system downtime for the reporting period is five percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in paragraph (a) of this condition shall both be submitted.
- (b) For sulfur dioxide from **the NSPS heaters and the CO Furnace**, **excess emissions are defined as** all rolling 3-hour periods during which the average concentration of H₂S **in fuel** as measured by the H₂S continuous monitoring system under §60.105(a)(4) exceeds 230 mg/dscm (0.10 gr/dscf or 163 ppm_v).
- (c) Notwithstanding the frequency of reporting requirements specified in paragraph (a) of this condition, a permittee who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual as described in WAQSR Chapter 5, Section 2 (g)(iv). Any reduction in reporting frequency requires a significant modification to this operating permit pursuant to WAQSR Chapter 6, Section 3(d)(vi)(C).
- (d) The reports shall be submitted to the Division in accordance with condition G4 of this permit.

(P60-J4) GOOD AIR POLLUTION CONTROL PRACTICE [WAQSR Ch 5, Sec 2 (i)(iv)]

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the **NSPS heaters and the CO Furnace** including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

WAQSR CHAPTER 5, SECTION 2 NEW SOURCE PERFORMANCE STANDARDS (NSPS)
AND 40 CFR 60 SUBPART XX REQUIREMENTS

(Subpart XX is attached as Appendix C)

- (P60-XX1) **SUBPART XX REQUIREMENTS [40 CFR 60 Subpart XX and WAQSR Ch 5 Sec 2]**
The permittee shall meet all requirements of 40 CFR 60 Subpart XX and WAQSR Ch 5 Sec 2 as they apply to the affected facilities of the gasoline loading rack.
- (a) The permittee shall meet all standards specified in §60.502.
 - (b) The permittee shall meet all testing and monitoring requirements specified in §60.503.
 - (c) The permittee shall meet all reporting and recordkeeping requirements specified in §60.505. The reports shall be submitted to the Division in accordance with condition G4 of this permit by January 31 and July 31 each year.
- (P60-XX2) **RECORDKEEPING [WAQSR Ch 5, Sec 2 (g)(ii) and (g)(v)]**
- (a) The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the affected facilities of the gasoline loading rack; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. These records shall be retained on-site at the facility for a period of at least five years from the date of such occurrences.
 - (b) The permittee shall maintain records of all measurements, reports, and other information required by the NSPS conditions of this permit recorded in a permanent form suitable for inspection. These records shall be retained on-site at the facility for a period of at least five years from the date such records are generated.
- (P60-XX3) **GOOD AIR POLLUTION CONTROL PRACTICE [WAQSR Ch 5, Sec 2 (i)(iv)]**
At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected facilities of the refinery waste water systems including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

WAQSR CHAPTER 5, SECTION 2 NEW SOURCE PERFORMANCE STANDARDS (NSPS)
AND 40 CFR 60 SUBPART GGG REQUIREMENTS
(Subparts GGG and VV are provided in Appendix D)

(P60-GGG1) SUBPART GGG REQUIREMENTS

[40 CFR 60 Subpart GGG; WAQSR Ch 5 Sec 2; and Ch 6, Sec 2 Permits MD-433A]

The permittee shall meet all requirements of 40 CFR 60 Subpart GGG, Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries, and WAQSR Ch 5 Sec 2, as they apply to the Hydrodesulfurization Unit, Lo-Cat Unit, Naphtha Hydrotreater, Vacuum Flasher, and associated equipment at each unit.

- (a) The permittee shall meet all standards, test methods and procedures, and recordkeeping and reporting requirements specified in §60.592 with exceptions specified in §60.593.
- (b) The summary results of the VOC monitoring shall be reported to the Division in accordance with condition G4 of this permit by January 31 and July 31 each year.
- (c) Flare requirements from WAQSR Chapter 5, Section 2 (m) and §60.18 are provided in Appendix H of this permit.

(P60-GGG2) RECORDKEEPING [WAQSR Ch 5, Sec (g)(ii) and (g)(v)]

- (a) The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the Hydrodesulfurization Unit, Lo-Cat Unit, Naphtha Hydrotreater, Vacuum Flasher, any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. These records shall be retained on-site at the facility for a period of at least five years from the date of such occurrences.
- (b) The permittee shall maintain records of all measurements, reports, and other information required by the NSPS conditions of this permit recorded in a permanent form suitable for inspection. These records shall be retained on-site at the facility for a period of at least five years from the date such records are generated.

(P60-GGG3) GOOD AIR POLLUTION CONTROL PRACTICE [WAQSR Ch 5, Sec 2 (i)(iv)]

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the Hydrodesulfurization Unit, Lo-Cat Unit, Naphtha Hydrotreater, Vacuum Flasher, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions.

WAQSR CHAPTER 5, SECTION 2 NEW SOURCE PERFORMANCE STANDARDS (NSPS)
AND 40 CFR 60 SUBPART QQQ REQUIREMENTS

(Subpart QQQ is provided in Appendix E)

(Modified February 28, 2006)

(P60-QQQ1) SUBPART QQQ REQUIREMENTS

[40 CFR 60 Subpart QQQ; WAQSR Ch 5 Sec 2; and Ch 6 Sec 2 Permits MD-433A & MD-1132]

The permittee shall meet all requirements of 40 CFR 60 Subpart QQQ, Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems, and WAQSR Ch 5 Sec 2, as they apply to the **Newcastle Refinery**, including the new wastewater drains and the oil-water separator/equalization/surge tank associated with the Wastewater Treatment System (unit WWTS) **and Tank 13**.

- (a) The permittee shall meet all applicable standards specified in §60.692 or §60.693.
- (b) The permittee shall meet all applicable monitoring requirements specified in §60.695.
- (c) The permittee shall meet all applicable testing requirements and compliance provisions specified in §60.696.
- (d) The permittee shall meet all applicable recordkeeping requirements specified in §60.697.
- (e) The permittee shall meet all applicable reporting requirements specified in §60.698. The reports shall be submitted to the Division in accordance with condition G4 of this permit by January 31 and July 31 each year.

(P60-QQQ2) RECORDKEEPING [WAQSR Ch 5, Sec 2 (g)(ii) and (g)(v)]

- (a) The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the affected facilities; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. These records shall be retained on-site at the facility for a period of at least five years from the date of such occurrences.
- (b) The permittee shall maintain records of all measurements, reports, and other information required by the NSPS conditions of this permit recorded in a permanent form suitable for inspection. These records shall be retained on-site at the facility for a period of at least five years from the date such records are generated.

(P60-QQQ3) GOOD AIR POLLUTION CONTROL PRACTICE [WAQSR Ch 5, Sec 2 (i)(iv)]

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the **affected facilities at the Newcastle Refinery**, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions.

40 CFR 61 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHA)
SUBPART A AND SUBPART FF REQUIREMENTS

(Subparts A and FF are provided in Appendices F and G, respectively)

(P61-FF1) SUBPART A REQUIREMENTS

[WAQSR Ch 6, Sec 2 Permit MD-433A and 40 CFR 61 Subpart A, General Provisions]

The permittee shall meet all requirements of 40 CFR 61 Subpart A, General Provisions, as they apply to the Wastewater Treatment System (unit WWTS) including, but not limited to, the following:

- (a) The permittee shall not fail to report, revise reports, or report source test results as required under 40 CFR 61. [§61.05(d)]
- (b) Any change in the information provided under §61.10(a) shall be provided to the Administrator within 30 days after the change. [§61.10(c)]
- (c) The permittee shall operate and maintain the Wastewater Treatment System (unit WWTS), including associated equipment for air pollution control, in a manner consistent with good air pollution control practice for minimizing emissions. [§61.12(c)]

(P61-FF2) SUBPART FF REQUIREMENTS [40 CFR 61 Subpart FF, Benzene Waste Operations]

The permittee shall meet all requirements of 40 CFR 61 Subpart FF, National Emission Standard for Benzene Waste Operations, as they apply to the Wastewater Treatment System (unit WWTS) including, but not limited to, the following:

- (a) The permittee shall comply with the recordkeeping requirements of §61.356. These records shall be retained on-site at the facility for a period of at least five years from the date such records are generated.
- (b) The permittee shall comply with the reporting requirements of §61.357(b). Any reports shall be submitted to the Division and U.S. EPA in accordance with condition G4 of this permit.

WAQSR CHAPTER 7, SECTION 3
COMPLIANCE ASSURANCE MONITORING (CAM) REQUIREMENTS

(CAM-1) COMPLIANCE ASSURANCE MONITORING REQUIREMENTS [WAQSR Ch 7, Sec 3 (b)and (c)]
The permittee shall follow the CAM plan attached as Appendix I of this permit and meet all CAM requirements of WAQSR Chapter 7, Section 3 as they apply to the Fuel Gas System/Sulfur Recovery Plant and FCC Regenerator/CO Furnace. Compliance with the source specific monitoring, recordkeeping, and reporting requirements of this permit meets the monitoring, recordkeeping, and reporting requirements of WAQSR Chapter 7, Section 3, except for additional requirements specified under conditions CAM-2 through CAM-5.

(CAM-2) OPERATION OF APPROVED MONITORING [WAQSR Ch 7, Sec 3 (g)]

- (a) At all times, the permittee shall maintain the monitoring under this section, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
- (b) Except for monitoring malfunctions, associated repairs, and required quality assurance or control activities, the permittee shall conduct all monitoring in continuous operation at all times that the pollutant specific emissions unit is operating.
- (c) Upon detecting an excursion, the permittee shall restore operation of the pollutant-specific emission unit to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices. The response shall include minimizing the period of any start-up, shutdown or malfunction and taking any corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion.
- (d) If the permittee identifies a failure to achieve compliance with an emission limit for which the monitoring did not provide an indication of an excursion while providing valid data, or the results of compliance or performance testing documents a need to modify the existing indicator ranges, the permittee shall promptly notify the Division and, if necessary, submit a proposed modification to this permit to address the necessary monitoring changes.

(CAM-3) QUALITY IMPROVEMENT PLAN (QIP) REQUIREMENTS [WAQSR Ch 7, Sec 3 (h)]

- (a) If the Division or the EPA Administrator determines, based on available information, that the permittee has used unacceptable procedures in response to an excursion or exceedance, the permittee may be required to develop and implement a Quality Improvement Plan (QIP).
- (b) If required, the permittee shall maintain a written Quality Improvement Plan (QIP) and have it available for inspection.
- (c) The plan shall include procedures for conducting one or more of the following:
 - (i) Improved preventative maintenance practices.
 - (ii) Process operation changes.
 - (iii) Appropriate improvements to control methods.
 - (iv) Other steps appropriate to correct control.
 - (v) More frequent or improved monitoring (in conjunction with (i) - (iv) above).
- (d) If a QIP is required, the permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the Division if the period for completing the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.
- (e) Following implementation of a QIP, upon any subsequent determination under paragraph (a) above, the Division may require the permittee to make reasonable changes to the QIP if the QIP failed to address the cause of control device problems, or failed to provide adequate procedures for correcting control device problems as expeditiously as practicable.
- (f) Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limit(s) or any existing monitoring, testing, reporting, or recordkeeping requirements that may be applicable to the facility.

(CAM-4) SAVINGS PROVISIONS [WAQSR Ch 7, Sec 3 (j)]

Nothing in the CAM regulations shall excuse the permittee from compliance with any existing emission limit or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may be applicable to the facility.

(CAM-5) CO FURNACE (STACK S-21) IMPLEMENTATION PLAN AND SCHEDULE
[WAQSR Ch 7, Sec 3 (d)(v)] (Modified February 28, 2006)

The permittee shall adhere to the following schedule for compliance assurance monitoring of CO emissions from the CO Furnace (stack S-21):

| Milestone | Date |
|---|------------|
| The permittee shall install and certify a continuous emissions monitor and implement continuous emissions monitoring for the CO Furnace (stack S-21) to assure compliance with the CO emission limits found in condition F6 of this permit. The monitoring system will demonstrate linearity, shall be certified in terms of lb/hr, and shall meet the quality assurance requirements of 40 CFR 60, Appendix F. | Completed* |

* The CO CEMS on Stack S-21 has been installed and is operational as of June, 2004.

COMPLIANCE CERTIFICATION AND SCHEDULE

Compliance Certification [WAQSR Ch 6, Sec 3 (h)(iii)(E)] (Modified February 28, 2006)

- (C1) (a) The permittee shall submit by January 31 each year a certification addressing compliance with the requirements of this permit. The certification shall be submitted as a stand-alone document separate from any monitoring reports required under this permit.
- (b) (i) For visible emissions from the flare, FCC/CO Furnace (stack-21), Crude Heater, and Loadout Incinerator at the gasoline loading rack the permittee shall assess compliance with condition F2 of this permit by conducting visible emissions monitoring required by condition F13.
- (ii) For visible emissions from the other heaters and boilers (units H-01, H-02, H-06, H-07, H-08, H-09, H-11, H-12, H-13, H-14, H-15, H-16, H-17, and H-18) the permittee shall assess compliance with condition F2 of this permit by ensuring that refinery fuel gas or natural gas are the sole fuel sources for these units.
- (iii) For particulate emissions from the FCC/CO Furnace (stack S-21), the permittee shall assess compliance with condition F3 of this permit by conducting the testing required by condition F10.
- (iv) For particulate emissions from the crude heater, the permittee shall assess compliance with condition F3 of this permit by conducting the testing required by condition F10, conducting the monitoring required by condition F14, and reviewing records kept in accordance with condition F22.
- (v) For NO_x emissions from the FCC/CO Furnace, the permittee shall assess compliance with condition F4 of this permit by conducting monitoring required by condition F15.
- (vi) For NO_x emissions from the heaters and boilers, the permittee shall assess compliance with condition F4 of this permit by conducting monitoring required by conditions F16 and F17.
- (vii) For NO_x emissions from the gasoline loading rack, the permittee shall assess compliance with condition F4 of this permit by conducting monitoring required by condition F18.
- (viii) For SO₂ emissions from the FCC/CO furnace, the permittee shall assess compliance with condition F5 of this permit by conducting monitoring required by condition F15.
- (ix) For SO₂ emissions from the heaters and boilers, the permittee shall assess compliance with condition F5 of this permit by conducting monitoring required by conditions F16 and F17.
- (x) For CO emissions from the FCC/CO Furnace, the permittee shall assess compliance with condition F6 of this permit by conducting the monitoring required by conditions F15 and CAM-1.
- (xi) For VOC emissions control of the oxidizer vent, the permittee shall assess compliance with condition F7 of this permit by reviewing the records required by condition F24.
- (xii) For the crude throughput limits required by condition F8 of this permit, the permittee shall assess compliance by conducting the monitoring required by condition F18.
- (xiii) The permittee shall assess compliance with the equipment leaks of VOCs requirements as specified in condition F9 of this permit by conducting monitoring required by condition F19.
- (xiv) The permittee shall assess compliance with condition P60-J1(a) of this permit by conducting monitoring required by condition P60-J1(b).
- (xv) The permittee shall assess compliance with condition P60-XX1(a) of this permit by conducting monitoring required by conditions P60-XX1(b) and (c).
- (xvi) The permittee shall assess compliance with the standards in condition P60-GGG1(a) of this permit by conducting the monitoring required by condition P60-GGG1(a).
- (xvii) The permittee shall assess compliance with condition P60-QQQ1(a) of this permit by conducting testing and monitoring required by conditions P60-QQQ1(b) and (c).
- (xviii) The permittee shall assess compliance with conditions P61-FF1 and P61-FF2 of this permit by reviewing records kept in accordance with condition P61-FF2(a).
- (xix) For limitations on the ratio of fuel oil to gas burned in the Crude Heater, the permittee shall assess compliance with condition F7 of this permit by conducting the monitoring required by condition F16 and reviewing the records required by condition F21.**

- (xxi) **For the sulfur dioxide emissions inventory, the permittee shall assess compliance with condition F38 of this permit by reviewing records kept in accordance with condition F38 (b) and verifying reports were submitted in accordance with condition F38 (c).**
- (c) The compliance certification shall include:
- (i) The permit condition or applicable requirement that is the basis of the certification;
 - (ii) The current compliance status;
 - (iii) Whether compliance was continuous or intermittent; and
 - (iv) The methods used for determining compliance.
- (d) For any permit conditions or applicable requirements for which the source is not in compliance, the permittee shall submit with the compliance certification a proposed compliance plan and schedule for Division approval.
- (e) The compliance certification shall be submitted to the Division in accordance with condition G4 of this permit and to the Assistant Regional Administrator, Office of Enforcement, Compliance, and Environmental Justice (**8ENF-T**), U.S. EPA - Region VIII, **1595 Wynkoop Street, Denver, CO 80202-1129**.
- (f) Determinations of compliance or violations of this permit are not restricted to the monitoring requirements listed in paragraph (b) of this condition; other credible evidence may be used.

Compliance Schedule [WAQSR Ch 6, Sec 3 (h)(iii)(C)]

- (C2) The permittee shall continue to comply with the applicable requirements with which the permittee has certified that it is already in compliance.
- (C3) The permittee shall comply in a timely manner with applicable requirements that become effective during the term of this permit.

GENERAL PERMIT CONDITIONS
(Modified February 22, 2007)

Powers of the Administrator: [W.S. 35-11-110]

- (G1) (a) The Administrator may require the owner or operator of any point source to complete plans and specifications for any application for a permit required by the Wyoming Environmental Quality Act or regulations made pursuant thereto and require the submission of such reports regarding actual or potential violations of the Wyoming Environmental Quality Act or regulations thereunder.
- (b) The Administrator may require the owner or operator of any point source to establish and maintain records; make reports; install, use and maintain monitoring equipment or methods; sample emissions, or provide such other information as may be reasonably required and specified.

Permit Renewal and Expiration: [WAQSR Ch 6, Sec 3 (c)(i)(C), (d)(ii), (d)(iv)(B), and (h)(i)(B)][W.S. 35-11-206 (f)]

- (G2) This permit is issued for a fixed term of five years. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted at least six months prior to the date of permit expiration. If the permittee submits a timely and complete application for renewal, the permittee's failure to have an operating permit is not a violation of WAQSR Chapter 6, Section 3 until the Division takes final action on the renewal application. This protection shall cease to apply after a completeness determination if the applicant fails to submit by the deadline specified in writing by the Division any additional information identified as being needed to process the application.

Duty to Supplement: [WAQSR Ch 6, Sec 3 (c)(iii)]

- (G3) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after this permit is issued.

Submissions: [WAQSR Ch 6, Sec 3 (c)(iv)] [W.S. 35-11-206 (c)]

- (G4) Any document submitted shall be certified as being true, accurate, and complete by a responsible official.
 - (a) Submissions to the Division.
 - (i) Any submissions to the Division including reports, certifications, and emission inventories required under this permit shall be submitted as separate, stand-alone documents and shall be sent to:
Administrator, Air Quality Division
122 West 25th Street
Cheyenne, Wyoming 82002
 - (ii) A copy of each submission to the Administrator under paragraph (a)(i) of this condition shall be sent to the DEQ Air Quality Contact listed on page 3 of this permit.
 - (b) Submissions to EPA.
 - (i) Each certification required under condition C1 of this permit shall also be sent to:
Assistant Regional Administrator
Office of Enforcement, Compliance, and Environmental Justice (8ENF-T)
U.S. EPA - Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129
 - (ii) All other required submissions to EPA shall be sent to:
Office of Partnerships and Regulatory Assistance
Air and Radiation Program (8P-AR)
U.S. EPA - Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

Changes for which No Permit Revision Is Required: [WAQSR Ch 6, Sec 3 (d)(iii)]

- (G5) The permittee may change operations without a permit revision provided that:
- (a) The change is not a modification under any provision of title I of the Clean Air Act;
 - (b) The change has met the requirements of Chapter 6, Section 2 of the WAQSR and is not a modification under Chapter 5, Section 2 or Chapter 6, Section 4 of the WAQSR and the changes do not exceed the emissions allowed under the permit (whether expressed therein as a rate of emissions or in terms of total emissions); and
 - (c) The permittee provides EPA and the Division with written notification at least 14 days in advance of the proposed change. The permittee, EPA, and the Division shall attach such notice to their copy of the relevant permit. For each such change, the written notification required shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield, if one exists for this permit, shall not apply to any such change made.

Transfer of Ownership or Operation: [WAQSR Ch 6, Sec 3 (d)(v)(A)(IV)]

- (G6) A change in ownership or operational control of this facility is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Division.

Reopening for Cause: [WAQSR Ch 6, Sec 3 (d)(vii)] [W.S. 35-11-206 (f)(ii) and (iv)]

- (G7) The Division will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:
- (a) Additional applicable requirements under the Clean Air Act or the WAQSR that become applicable to this source if the remaining permit term is three or more years. Such reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended.
 - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit.
 - (c) The Division or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - (d) The Division or EPA determines that the permit must be revised or revoked to assure compliance with applicable requirements.

Annual Fee Payment: [WAQSR Ch 6, Sec 3 (f)(i), (ii), and (vi)] [W.S. 35-11-211]

- (G8) The permittee shall, as a condition of continued operations, submit an annual fee to the Division as established in Chapter 6, Section 3 (f) of the WAQSR. The Division shall give written notice of the amount of fee to be assessed and the basis for such fee assessment annually. The assessed fee is due on receipt of the notice unless the fee assessment is appealed pursuant to W.S. 35-11-211(d). If any part of the fee assessment is not appealed, it shall be paid to the Division on receipt of the written notice. Any remaining fee that may be due after completion of the appeal, is immediately due and payable upon issuance of the Council's decision. Failure to pay fees owed the Division is a violation of Chapter 6, Section 3 (f) and W.S. 35-11-203 and may be cause for the revocation of this permit.

Annual Emissions Inventories: [WAQSR Ch 6, Sec 3 (f)(v)(G)]

- (G9) The permittee shall submit an annual emission inventory for this facility to the Division for fee assessment and compliance determinations within 60 days following the end of the calendar year. The emissions inventory shall be in a format specified by the Division.

Severability Clause: [WAQSR Ch 6, Sec 3 (h)(i)(E)]

(G10) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Compliance: [WAQSR Ch 6, Sec 3 (h)(i)(F)(I) and (II)] [W.S. 35-11-203 (b)]

(G11) The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Air Act, Article 2 of the Wyoming Environmental Quality Act, and the WAQSR and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

Permit Actions: [WAQSR Ch 6, Sec 3 (h)(i)(F)(III)] [W.S. 35-11-206 (f)]

(G12) This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Property Rights: [WAQSR Ch 6, Sec 3 (h)(i)(F)(IV)]

(G13) This permit does not convey any property rights of any sort, or any exclusive privilege.

Duty to Provide Information: [WAQSR Ch 6, Sec 3 (h)(i)(F)(V)]

(G14) The permittee shall furnish to the Division, within a reasonable time, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permit, including information claimed and shown to be confidential under W.S. 35-11-1101 (a) of the Wyoming Environmental Quality Act. Upon request by the Division, the permittee shall also furnish confidential information directly to EPA along with a claim of confidentiality.

Emissions Trading: [WAQSR Ch 6, Sec 3 (h)(i)(H)]

(G15) There are no emissions trading provisions in this permit.

Inspection and Entry: [WAQSR Ch 6, Sec 3 (h)(iii)(B)] [W.S. 35-11-206 (c)]

(G16) Authorized representatives of the Division, upon presentation of credentials and other documents as may be required by law, shall be given permission to:

- (a) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) sample or monitor any substances or parameters at any location, during operating hours, for the purpose of assuring compliance with this permit or applicable requirements.

Excess Emissions Due to an Emergency: [WAQSR Ch 6, Sec 3 (I)]

(G17) The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency, as defined in Ch 6, Sec 3 (I)(i) of the WAQSR. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was, at the time, being properly operated;
- (c) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit;

- (d) the permittee submitted notice of the emergency to the Division within one working day of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

Diluting and Concealing Emissions: [WAQSR Ch 1, Sec 4]

(G18) No person shall cause or permit the installation or use of any device, contrivance or operational schedule that, without resulting in reduction of the total amount of air contaminant released to the atmosphere, shall dilute or conceal an emission from a source. This condition shall not apply to the control of odors.

Unavoidable Equipment Malfunction: [WAQSR Ch 1, Sec 5]

- (G19)** (a) Any source believing that any emissions in excess of established regulation limits or standards resulted from an unavoidable equipment malfunction, shall notify the Division within 24 hours of the incident via telephone, electronic mail, fax, or other similar method. A detailed description of the circumstances of the incident as described in paragraph 5(a)(i)(A) Chapter 1, including a corrective program directed at preventing future such incidents, must be submitted within 14 days of the onset of the incident. The Administrator may extend this 14-day time period for cause.
- (b) The burden of proof is on the owner or operator of the source to provide sufficient information to demonstrate that an unavoidable equipment malfunction occurred.

Fugitive Dust: [WAQSR Ch 3, Sec 2(f)]

(G20) The permittee shall minimize fugitive dust in compliance with standards in Ch 3, Sec 2(f) of WAQSR for construction/demolition activities, handling and transportation of materials, and agricultural practices

Carbon Monoxide: [WAQSR Ch 3, Sec 5]

(G21) The emission of carbon monoxide in stack gases from any stationary source shall be limited as may be necessary to prevent ambient standards from being exceeded.

Asbestos: [WAQSR Ch 3, Sec 8]

- (G22)** The permittee shall comply with emission standards for asbestos during abatement, demolition, renovation, manufacturing, spraying and fabricating activities.
- (a) No owner or operator shall build, erect, install, or use any article, machine, equipment, process, or method, the use of which conceals an emission that would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous dilutants to achieve compliance with a visible emissions standard, and the piecemeal carrying out of an operation to avoid coverage by a standard that applies only to operations larger than a specified size.
- (b) All owners and operators conducting an asbestos abatement project, including an abatement project on a residential building, shall be responsible for complying with Federal requirements and State standards for packaging, transportation, and delivery to an approved waste disposal facility as provided in paragraph (m) of Ch 3, Sec 8.
- (c) The permittee shall follow State and Federal standards for any demolition and renovation activities conducted at this facility, including:
- (i) A thorough inspection of the affected facility or part of the facility where the demolition or renovation activity will occur shall be conducted to determine the presence of asbestos, including Category I and Category II non-friable asbestos containing material. The results of the inspection will determine which notification and asbestos abatement procedures are applicable to the activity.
- (ii) The owner or operator shall follow the appropriate notification requirements of Ch 3, Sec 8(i)(ii).
- (iii) The owner or operator shall follow the appropriate procedures for asbestos emissions control, as specified in Chapter 3, Section 8(i)(iii).
- (d) No owner or operator of a facility may install or reinstall on a facility component any insulating materials that contain commercial asbestos if the materials are either molded and friable or wet-applied and friable after drying. The provisions of this paragraph do not apply to spray-applied insulating materials regulated under paragraph (j) of Ch 3, Sec 8.
- (e) The permittee shall comply with all other requirements of WAQSR Ch 3, Sec 8.

Open Burning Restrictions: [WAQSR Ch 10, Sec 2] (Modified February 28, 2006)

(G23) The permittee conducting an open burn shall comply with all rules and regulations of the Wyoming Department of Environmental Quality, Division of Air Quality, and with the Wyoming Environmental Quality Act.

- (a) No person shall burn prohibited materials using an open burning method, except as may be authorized by permit. "*Prohibited materials*" means substances including, but not limited to; natural or synthetic rubber products, including tires; waste petroleum products, such as oil or used oil filters; insulated wire; plastic products, including polyvinyl chloride ("PVC") pipe, tubing and connectors; tar, asphalt, asphalt shingles, or tar paper; railroad ties; wood, wood waste, or lumber that is painted or chemically treated; explosives or ammunition; batteries; hazardous waste products; asbestos or asbestos containing materials; or materials which cause dense smoke discharges, excluding refuse and flaring associated with oil and gas well testing, completions and well workovers.
- (b) No person or organization shall conduct or cause or permit open burning for the disposal of trade wastes, for a salvage operation, for the destruction of fire hazards if so designated by a jurisdictional fire authority, or for fire fighting training, except when it can be shown by a person or organization that such open burning is absolutely necessary and in the public interest. Any person or organization intending to engage in such open burning shall file a request to do so with the Division.

Sulfur Dioxide Emission Trading and Inventory Program [WAQSR Ch 14] (Modified May 11, 2004)

(G24) Any BART (Best Available Retrofit Technology) eligible facility, or facility which has actual emissions of SO₂ greater than 100 tpy in calendar year 2000 or any subsequent year, shall comply with the applicable requirements of WAQSR Ch 14, Sections 1 through 3, with the exceptions described in sections 2(c) and 3(a).

Stratospheric Ozone Protection Requirements: [40 CFR Part 82]

(G25) The permittee shall comply with all applicable Stratospheric Ozone Protection Requirements, including but not limited to:

- (a) *Standards for Appliances* [40 CFR Part 82, Subpart F]
The permittee shall comply with the standards for recycling and emission reduction pursuant to 40 CFR Part 82, Subpart F - Recycling and Emissions Reduction, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
 - (i) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
 - (ii) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - (iii) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - (iv) Persons disposing of small appliances, MVACs and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like appliance" as defined at §82.152.)
 - (v) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.166.
 - (vi) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
 - (vii) The permittee shall comply with all other requirements of Subpart F.
- (b) *Standards for Motor Vehicle Air Conditioners* [40 CFR Part 82, Subpart B]
If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant.

STATE ONLY PERMIT CONDITIONS (Modified February 22, 2007)

The conditions listed in this section are State only requirements and are not federally enforceable.

Ambient Standards

(S1) The permittee shall operate the emission units described in this permit such that the following ambient standards are not exceeded:

| POLLUTANT | STANDARD | CONDITION | WAQSR CH. 2, SEC. |
|--------------------------------------|--|--|------------------------------|
| PM ₁₀ particulate matter | 50 micrograms per cubic meter | annual arithmetic mean | 2 (a) |
| | 150 micrograms per cubic meter | 24-hr average concentration with not more than one exceedance per year | |
| PM _{2.5} particulate matter | 15 micrograms per cubic meter | annual arithmetic mean | 2 (b) |
| | 65 micrograms per cubic meter | 98 th percentile 24-hour average concentration | |
| Nitrogen dioxide | 100 micrograms per cubic meter | annual arithmetic mean | 3 |
| Sulfur oxides | 60 micrograms per cubic meter | annual arithmetic mean | 4 |
| | 260 micrograms per cubic meter | max 24-hr concentration with not more than one exceedance per year | |
| | 1300 micrograms per cubic meter | max 3-hr concentration with not more than one exceedance per year | |
| Carbon monoxide | 10 milligrams per cubic meter | max 8-hr concentration with not more than one exceedance per year | 5 |
| | 40 milligrams per cubic meter | max 1-hr concentration with not more than one exceedance per year | |
| Ozone | 0.08 parts per million | daily maximum 8-hour average | 6 |
| Hydrogen sulfide | 70 micrograms per cubic meter | ½ hour average not to be exceeded more than two times per year | 7 |
| | 40 micrograms per cubic meter | ½ hour average not to be exceeded more than two times in any five consecutive days | |
| Suspended sulfate | 0.25 milligrams SO ₃ per 100 square centimeters per day | maximum annual average | 8 |
| | 0.50 milligrams SO ₃ per 100 square centimeters per day | maximum 30-day value | |
| Lead and its compounds | 1.5 micrograms per cubic meter | maximum arithmetic mean averaged over a calendar quarter | 10 |

Hydrogen Sulfide: [WAQSR Ch 3, Sec 7]

- (S2) Any exit process gas stream containing hydrogen sulfide which is discharged to the atmosphere from any source shall be vented, incinerated, flared or otherwise disposed of in such a manner that ambient sulfur dioxide and hydrogen sulfide standards are not exceeded.

Odors: [WAQSR Ch 2, Sec 11]

- (S3) (a) The ambient air standard for odors from any source shall be limited to an odor emission at the property line which is undetectable at seven dilutions with odor free air as determined by a scentometer as manufactured by the Barnebey-Cheney Company or any other instrument, device, or technique designated by the Division as producing equivalent results. The occurrence of odors shall be measured so that at least two measurements can be made within a period of one hour, these determinations being separated by at least 15 minutes.
- (b) Odor producing materials shall be stored, transported, and handled in a manner that odors produced from such materials are confined and that accumulation of such materials resulting from spillage or other escape is prevented.

SUMMARY OF SOURCE EMISSION LIMITS AND REQUIREMENTS

Source ID#: **H-03** Source Description: **Crude Heater (Modified February 28, 2006)**

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------------|---|--|--|---|--|---|
| Particulate | 20 opacity [F2] 23.2 lb/hr and 13.4 TPY [F3] Fuel oil to gas burned ratio [F7] | WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 | Test while firing on oil for the first time. [F10] | Quarterly Method 9 observations and daily observations each day the heater is fired on fuel oil [F13] Reliance on proper maintenance for particulate emissions [F14] Fuel oil ratio monitoring [F16] | Test records [F21] Visible emissions and fuel monitoring records [F21] Maintenance records [F22] | Testing and monitoring results [F28] Visible emissions and fuel monitoring reports [F28] Maintenance reports [F29] Excess emissions and permit deviations [F34] |
| NO _x | 0.23 lb/MMBtu gas fired 0.6 lb/MMBtu oil fired 24.4 TPY[F4] Fuel oil to gas burned ratio [F7] | WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 | Test while firing on oil for the first time. [F10] | Fuel usage and emissions monitoring [F16 and F17] | Test records [F21] Maintenance records [F22] Monitoring records [F21and F23] | Testing and monitoring results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34] |
| SO ₂ | 90.0 lb/hr and 166.8 TPY [F5] Fuel oil to gas burned ratio [F7] | WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 WAQSR Ch 7, Sec 3 | Test while firing on oil for the first time. [F10] | Fuel usage and emissions monitoring [F16, F17, and CAM-1 to CAM-5] | Test records [F21] Maintenance records [F22] Monitoring records [F21and F23] | Testing and monitoring results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: **H-01, H-02, H-06, H-07, H-08 & H-09**

Source Description: **Heaters and Boilers** (Modified May 11, 2004) (Modified February 28, 2006)

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------------|--|--|---------------------------|---|--|---|
| Particulate | 20 opacity [F2] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | Gas firing [F13] | Test records [F21] | Test results [F28] Report gas firing [F28] Excess emissions and permit deviations [F34] |
| NO _x | Emission limits (see Table II). [F4] | WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 | Testing if required [F12] | Fuel usage and emissions monitoring [F16 and F17] | Test records [F21] Maintenance records [F22] Monitoring records [F21 and F23] | Test results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34] |
| SO ₂ | Emission limits (see Table III). [F5] | WAQSR Ch 6, Sec 2 Permits MD-433A & <i>MD-1030</i> WAQSR Ch 7, Sec 3 | Testing if required [F12] | Continuous fuel and H ₂ S fuel gas monitoring (CAM) [F16, F17, and CAM-1 to CAM-5] | Test records [F21] Maintenance records [F22] Monitoring records [F21 and F23] | Test results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: **H-11, H-12, H-13, H-14, H-15 & H-16**

Source Description: **Heaters and Boilers (Modified May 11, 2004) (Modified February 28, 2006)**

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------------|--|--|---|---|---|--|
| Particulate | 20 opacity [F2] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | Gas firing [F13] | Test records [F21] | Test results [F28] Report gas firing [F28] Excess emissions and permit deviations [F34] |
| NO _x | Emission limits (see Table II). [F4] | WAQSR Ch 6, Sec 2 Permits MD-433A, MD-1030 & MD-1132 | For H-14, initial performance testing [F11] Testing if required [F12] | Fuel usage and emissions monitoring [F16 and F17] | Test records [F21] Monitoring records [F21 and F23] Maintenance records [F22] | Test results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34] |
| SO ₂ | Emission limits (see Table III). [F5] Fuel gas limited to H₂S content of 0.1 grains/dscf [P60-J1] | WAQSR Ch 6, Sec 2 Permits MD-433A, <i>MD-1030 & MD-1132</i> WAQSR Ch 5, Sec 2 and 40 CFR 60 Subpart J WAQSR Ch 7, Sec 3 | For H-14, initial performance testing [F11] Testing if required [F12] | Continuous fuel and H ₂ S fuel gas monitoring (CAM) [F16, F17, CAM-1 to CAM-5, and P60-J1] | Test records [F21] Monitoring records [F21 and F23] Maintenance records [F22] Subpart J records [P60-J2] | Test results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34, P60-J3] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: **H-17 & H-18** Source Description: **Heaters and Boilers (Modified February 28, 2006)**

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------------|--|--|---------------------------|---|---|--|
| Particulate | 20 opacity [F2] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | Gas firing [F13] | Test records [F21] | Test results [F28] Report gas firing [F28] Excess emissions and permit deviations [F34] |
| NO _x | Emission limits (see Table II). [F4] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | Fuel usage and emissions monitoring [F16 and F17] | Test records [F21] Monitoring records [F21 and F23] Maintenance records [F22] | Test results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34] |
| SO ₂ | Emission limits (see Table III & F5). [F5] Fuel gas limited to H₂S content of 0.1 grains/dscf [F5 and P60-J1] | WAQSR Ch 6, Sec 2 Permit MD-433A 40 CFR 60 Subpart J | Testing if required [F12] | Continuous fuel and H ₂ S fuel gas monitoring [F16, F17, and P60-J1] | Test records [F21] Monitoring records [F21 and F23] Maintenance records [F22] Subpart J records [P60-J2] | Test results [F28] Maintenance reports [F29] Monitoring reports [F30] Excess emissions and permit deviations [F34, P60-J3] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: **Stack S-21** Source Description: **FCC Preheater (H-19), CO Furnace (H-20), and FCC Regenerator (FCC)**
(Modified February 28, 2006)

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------------|---|--|--|--|---|---|
| Particulate | 20 opacity [F2] 31.1 lb/hr and 136.0 TPY [F3] | WAQSR Ch 6, Sec 2 Permits MD-433A & MD-1030 | Annual testing [F10] | Twice daily visible emissions monitoring [F13] | Test records [F21] | Test results [F28] Excess emissions and permit deviations [F34] |
| NO _x | 18.2 lb/hr and 69.8 TPY [F4] | WAQSR Ch 6, Sec 2 Permit MD-1132 | Testing if required [F12] Initial performance testing [F11] | Continuous emissions monitoring (CEM) [F15] | Test records [F21] Monitoring records [F23] | Test results [F28] Monitoring reports [F33] Excess emissions and permit deviations [F34] |
| SO ₂ | 173.0 lb/hr and 478.6 TPY [F5] Fuel gas limited to H ₂ S content of 0.1 grains/dscf [P60-J1] | WAQSR Ch 6, Sec 2 Permit MD-433A 40 CFR 60 Subpart J | Testing if required [F12] Initial performance testing [F11] | Continuous emissions monitoring (CEM) [F15] | Test records [F21] Monitoring records [F23] | Test results [F28] Monitoring reports [F33] Excess emissions and permit deviations [F34] |
| CO | 21.6 lb/hr and 95.0 TPY [F6] | WAQSR Ch 6, Sec 2 Permit MD-1132 and Ch 7, Sec 3 | Testing if required [F12] | Continuous emissions monitoring (CAM) [F15 and CAM-1 to CAM-5] | Test records [F21] CEM/CAM records [F23] | Test reports [F28] CO emissions monitoring reports [F33] Excess emissions and permit deviations [F34] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: **H-21** Source Description: **Truck Loadout Incinerator (Gasoline Loading Rack)**

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------------|--|----------------------------------|---------------------------|---|--|---|
| Particulate | 20 percent opacity [F2] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | Weekly visible emissions monitoring [F13] | Test records [F21] Monitoring records [F21] | Test results [F28] Semiannual emissions monitoring reports [F28] Excess emissions and permit deviations [F34] |
| NO _x | 4.7 TPY [F4] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | Throughput monitoring [F18] | Test records [F21] Throughput/emissions records [F25] | Test results [F28] Semiannual Emissions monitoring reports [F31] Excess emissions and permit deviations [F34] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: **LOCAT Vent (routed to either H-01 or H-09)** Source Description: **Oxidizer Vent**

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-----------|---|----------------------------------|---------------------------|-------------------------|-------------------------------------|--|
| VOC | Vent must be combusted in either heater H-01 or H-09 [F7] | WAQSR Ch 6, Sec 2 Permit MD-433A | Testing if required [F12] | None | Oxidizer vent control records [F24] | Test results [F28] Monitoring reports [F28] Excess emissions and permit deviations [F34] |

Source ID#: **FLARE** Source Description: **Flare**

| Pollutant | Emissions Limit / Work Practice Standard | Corresponding Regulation(s) | Testing Requirements | Monitoring Requirements | Recordkeeping Requirements | Reporting Requirements |
|-------------|--|--|---------------------------|--|--|--|
| Particulate | No visible emissions [F2] | WAQSR Chapter 5, Section 2 and 40 CFR 60 Subpart GGG | Testing if required [F12] | Monthly visible emissions monitoring [F13] | Test records [F21] Monitoring records [F21] | Test results [F28] Monitoring results [F28] Excess emissions and permit deviations [F34] |

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

ABBREVIATIONS (Modified February 28, 2006)

| | |
|------------------|---|
| AQD | Air Quality Division |
| BACT | Best available control technology (see Definitions) |
| Bbl(s) | Barrel(s) |
| Btu | British Thermal Unit |
| CAA | Clean Air Act |
| CAM | Compliance Assurance Monitoring |
| CEMS | Continuous Emissions Monitors |
| C.F.R. | Code of Federal Regulations |
| CO | Carbon monoxide |
| °F | Degrees Fahrenheit |
| DEQ | Wyoming Department of Environmental Quality |
| dscf | Dry standard cubic foot |
| EPA | United States Environmental Protection Agency (see Definitions) |
| g | Gram(s) |
| gal(s) | Gallons(s) |
| gpm | gallons per minute |
| gr | Grain(s) |
| H ₂ S | Hydrogen sulfide |
| HAP(s) | Hazardous air pollutant(s) |
| hr | Hour(s) |
| ID# | Identification number |
| lb | Pound(s) |
| M | Thousand |
| MACT | Maximum available control technology (see Definitions) |
| mfr | Manufacturer |
| mg | Milligram(s) |
| MM | Million |
| MVAC | Motor vehicle air conditioner |
| N/A | Not applicable |
| NO _x | Oxides of nitrogen |
| O ₂ | Oxygen |
| O&M | Operation and maintenance |
| OPP | Operating Permit Program |
| PM | Particulate matter |
| PM ₁₀ | Particulate matter less than or equal to a nominal diameter of 10 micrometers |
| ppm | Parts per million |
| ppmv | Parts per million by volume |
| QIP | Quality Improvement Plan |
| SCF | Standard cubic foot (feet) |
| SCM | Standard cubic meter(s) |
| SIC | Standard Industrial Classification |
| SO ₂ | Sulfur dioxide |
| SO ₃ | Sulfur trioxide |
| SO _x | Oxides of sulfur |
| TBD | To be determined |
| TOC(s) | Total organic compound(s) |
| TPD | Tons per day |
| TPY | Tons per year |
| U.S.C. | United States Code |
| µg | Microgram(s) |
| VOC(s) | Volatile organic compound(s) |
| W.S. | Wyoming Statute |
| WAQSR | Wyoming Air Quality Standards & Regulations (see Definitions) |

DEFINITIONS

"Act" means the Clean Air Act, as amended, 42 U.S.C. 7401, *et seq.*

"Administrator" means Administrator of the Air Quality Division, Wyoming Department of Environmental Quality.

"Applicable requirement" means all of the following as they apply to emissions units at a source subject to Chapter 6, Section 3 of the WAQSR (including requirements with future effective compliance dates that have been promulgated or approved by the EPA or the State through rulemaking at the time of issuance of the operating permit):

- (a) Any standard or other requirement provided for in the Wyoming implementation plan approved or promulgated by EPA under Title I of the Act that implements the relevant requirements of the Act, including any revisions to the plan promulgated in 40 CFR Part 52;
- (b) Any standards or requirements in the WAQSR which are not a part of the approved Wyoming implementation plan and are not federally enforceable;
- (c) Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under Title I, including parts C or D of the Act and including Chapter 5, Section 2 and Chapter 6, Sections 2 and 4 of the WAQSR;
- (d) Any standard or other requirement promulgated under Section 111 of the Act, including Section 111(d) and Chapter 5, Section 2 of the WAQSR;
- (e) Any standard or other requirement under Section 112 of the Act, including any requirement concerning accident prevention under Section 112(r)(7) of the Act and including any regulations promulgated by EPA and the State pursuant to Section 112 of the Act;
- (f) Any standard or other requirement of the acid rain program under Title IV of the Act or the regulations promulgated thereunder;
- (g) Any requirements established pursuant to Section 504(b) or Section 114(a)(3) of the Act concerning enhanced monitoring and compliance certifications;
- (h) Any standard or other requirement governing solid waste incineration, under Section 129 of the Act;
- (i) Any standard or other requirement for consumer and commercial products, under Section 183(e) of the Act (having to do with the release of volatile organic compounds under ozone control requirements);
- (j) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Act, unless the EPA has determined that such requirements need not be contained in a Title V permit;
- (k) Any national ambient air quality standard or increment or visibility requirement under part C of Title I of the Act, but only as it would apply to temporary sources permitted pursuant to Section 504(e) of the Act; and
- (l) Any state ambient air quality standard or increment or visibility requirement of the WAQSR.
- (m) Nothing under paragraphs (A) through (L) above shall be construed as affecting the allowance program and Phase II compliance schedule under the acid rain provision of Title IV of the Act.

"BACT" or "Best available control technology" means an emission limitation (including a visible emission standard) based on the maximum degree of reduction of each pollutant subject to regulation under the WAQSR or regulation under the Federal Clean Air Act, which would be emitted from or which results for any proposed major emitting facility or major modification which the Administrator, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application or production processes and available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. If the Administrator determines that technological or economic limitations on the application of measurement methodology to a particular class of sources would make the imposition of an emission standard infeasible, he may instead prescribe a design, equipment, work practice or operational standard or combination thereof to satisfy the requirement of Best Available Control Technology. Such standard shall, to the degree possible, set forth the emission reduction achievable by implementation of such design, equipment, work practice, or operation and shall provide for compliance by means that achieve equivalent results. Application of BACT shall not result in emissions in excess of those allowed under Chapter 5, Section 2 of the WAQSR and any other new source performance standard or national emission standards for hazardous air pollutants promulgated by EPA but not yet adopted by the state.

"Department" means the Wyoming Department of Environmental Quality or its Director.

"Director" means the Director of the Wyoming Department of Environmental Quality.

"Division" means the Air Quality Division of the Wyoming Department of Environmental Quality or its Administrator.

"Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

"EPA" means the Administrator of the U.S. Environmental Protection Agency or the Administrator's designee.

"Fuel-burning equipment" means any furnace, boiler apparatus, stack, or appurtenances thereto used in the process of burning fuel or other combustible material for the purpose of producing heat or power by indirect heat transfer.

"Fugitive emissions" means those emissions that could not reasonably pass through a stack chimney, vent, or other functionally equivalent opening.

"Insignificant activities" means those activities which are incidental to the facility's primary business activity and which result in emissions of less than one ton per year of a regulated pollutant not included in the Section 112 (b) list of hazardous air pollutants or emissions less than 1000 pounds per year of a pollutant regulated pursuant to listing under Section 112 (b) of the Act provided, however, such emission levels of hazardous air pollutants do not exceed exemptions based on insignificant emission levels established by EPA through rulemaking for modification under Section 112 (g) of the Act.

"MACT" or "Maximum achievable control technology" means the maximum degree of reduction in emissions that is deemed achievable for new sources in a category or subcategory that shall not be less stringent than the emission control that is achieved in practice by the best controlled similar source, as determined by the Administrator. Emission standards promulgated for existing sources in a category or subcategory may be less stringent than standards for new sources in the same category or subcategory but shall not be less stringent, and may be more stringent than:

- (a) the average emission limitation achieved by the best performing 12 percent of the existing sources (for which the Administrator has emission information), excluding those sources that have, within 18 months before the emission standard is proposed or within 30 months before such standard is promulgated, whichever is later, first achieved a level of emission rate or emission reduction which complies, or would comply if the source is not subject to such standard, with the lowest achievable

emission rate applicable to the source category and prevailing at the time, in the category or subcategory for categories and subcategories with 30 or more sources, or

- (b) the average emission limitation achieved by the best performing five sources (for which the Administrator has or could reasonably obtain emissions information) in the category or subcategory for categories or subcategories with fewer than 30 sources.

"Modification" means any physical change in, or change in the method of operation of, an affected facility which increases the amount of any air pollutant (to which any state standards applies) emitted by such facility or which results in the emission of any such air pollutant not previously emitted.

"Permittee" means the person or entity to whom a Chapter 6, Section 3 permit is issued.

"Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is enforceable by EPA and the Division. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in Title IV of the Act or the regulations promulgated thereunder.

"Regulated air pollutant" means the following:

- (a) Nitrogen oxides (NO_x) or any volatile organic compound;
- (b) Any pollutant for which a national ambient air quality standard has been promulgated;
- (c) Any pollutant that is subject to any standard established in Chapter 5, Section 2 of the WAQSR or Section 111 of the Act;
- (d) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act; or
- (e) Any pollutant subject to a standard promulgated under Section 112 or other requirements established under Section 112 of the Act, including Sections 112(g), (j), and (r) of the Act, including the following:
 - (i) Any pollutant subject to requirements under Section 112(j) of the Act. If EPA fails to promulgate a standard by the date established pursuant to Section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to Section 112(e) of the Act; and
 - (ii) Any pollutant for which the requirements of Section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to Section 112(g)(2) requirement.
- (f) Pollutants regulated solely under Section 112(r) of the Act are to be regulated only with respect to the requirements of Section 112(r) for permits issued under this Chapter 6, Section 3 of the WAQSR.

"Renewal" means the process by which a permit is reissued at the end of its term.

"Responsible official" means one of the following:

- (a) For a corporation:
 - (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (ii) A duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (A) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
 - (B) the delegation of authority to such representative is approved in advance by the Division;
- (b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- (c) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency; or
- (d) For affected sources:
 - (i) The designated representative or alternate designated representative in so far as actions, standards, requirements, or prohibitions under Title IV of the Act or the regulations promulgated thereunder are concerned; and
 - (ii) The designated representative, alternate designated representative, or responsible official under Chapter 6, Section 3 (b)(xxvi) of the WAQSR for all other purposes under this section.

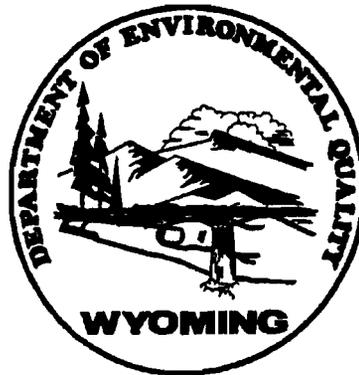
"WAQSR" means the Wyoming Air Quality Standards and Regulations promulgated under the Wyoming Environmental Quality Act, W.S. §35-11-101, *et seq.*

APPENDIX A

PORTABLE ANALYZER MONITORING PROTOCOL

**STATE OF WYOMING AIR QUALITY DIVISION
PORTABLE ANALYZER MONITORING PROTOCOL**

**Determination of Nitrogen Oxides, Carbon Monoxide and Oxygen Emissions
from Natural Gas-Fired Reciprocating Engines, Combustion Turbines,
Boilers, and Process Heaters Using Portable Analyzers**



WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
122 West 25th Street
Cheyenne, Wyoming 82002

April 21, 1999
Revised January 25, 2006

Approved By:

Dan Olson
Administrator

TABLE OF CONTENTS

| | |
|---|---------|
| 1. APPLICABILITY AND PRINCIPLE..... | Page 4 |
| 1.1 Applicability..... | Page 4 |
| 1.2 Principle..... | Page 4 |
| 2. RANGE AND SENSITIVITY..... | Page 4 |
| 2.1 Analytical Range..... | Page 4 |
| 3. DEFINITIONS..... | Page 5 |
| 3.1 Measurement System..... | Page 5 |
| 3.2 Nominal Range..... | Page 6 |
| 3.3 Span Gas..... | Page 6 |
| 3.4 Zero Calibration Error..... | Page 6 |
| 3.5 Span Calibration Error..... | Page 6 |
| 3.6 Response Time..... | Page 6 |
| 3.7 Interference Check..... | Page 6 |
| 3.8 Linearity Check..... | Page 7 |
| 3.9 Stability Check..... | Page 7 |
| 3.10 Stability Time..... | Page 7 |
| 3.11 Initial NO Cell Temperature..... | Page 7 |
| 3.12 Test..... | Page 7 |
| 4. MEASUREMENT SYSTEM PERFORMANCE SPECIFICATIONS..... | Page 7 |
| 4.1 Zero Calibration Error..... | Page 7 |
| 4.2 Span Calibration Error..... | Page 7 |
| 4.3 Interference Response..... | Page 8 |
| 4.4 Linearity..... | Page 8 |
| 4.5 Stability Check Response..... | Page 8 |
| 4.6 CO Measurement, H ₂ Compensation..... | Page 8 |
| 5. APPARATUS AND REAGENTS..... | Page 8 |
| 5.1 Measurement System..... | Page 8 |
| 5.2 Calibration Gases..... | Page 11 |
| 6. MEASUREMENT SYSTEM PERFORMANCE CHECK PROCEDURES..... | Page 11 |
| 6.1 Calibration Gas Concentration Certification..... | Page 11 |
| 6.2 Linearity Check..... | Page 12 |
| 6.3 Interference Check..... | Page 12 |
| 6.4 Stability Check..... | Page 13 |

7. EMISSION TEST PROCEDUREPage 14

 7.1 Selection of Sampling Site and Sampling Points.....Page 14

 7.2 Warm Up PeriodPage 15

 7.3 Pretest Calibration Error CheckPage 15

 7.4 NO Cell Temperature Monitoring.....Page 16

 7.5 Sample Collection.....Page 16

 7.6 Post Test Calibration Error CheckPage 17

 7.7 Interference CheckPage 17

 7.8 Re-ZeroPage 18

8. DATA COLLECTION.....Page 18

 8.1 Linearity Check DataPage 19

 8.2 Stability Check DataPage 19

 8.3 Pretest Calibration Error Check Data.....Page 19

 8.4 Test DataPage 20

 8.5 Post Test Calibration Error Check Data.....Page 20

 8.6 Corrected Test ResultsPage 20

9. CALIBRATION CORRECTIONSPage 21

 9.1 Emission Data CorrectionsPage 21

10. EMISSION CALCULATIONSPage 21

 10.1 Emission Calculations for Reciprocating Engines and Combustion Turbines Page 21

 10.2 Emission Calculations for Heaters/BoilersPage 27

11. REPORTING REQUIREMENTS AND RECORD KEEPING REQUIREMENTS.....Page 28

CALIBRATION SYSTEM SCHEMATIC..... Figure 1

LINEARITY CHECK DATA SHEET FORM A

STABILITY CHECK DATA SHEETFORM B

CALIBRATION ERROR CHECK DATA SHEETFORM C

RECIPROCATING ENGINE TEST RESULTS FORM D-1

COMBUSTION TURBINE TEST RESULTS FORM D-2

HEATER/BOILER TEST RESULTS..... FORM D-3

1. APPLICABILITY AND PRINCIPLE

1.1 Applicability. This method is applicable to the determination of nitrogen oxides (NO and NO₂), carbon monoxide (CO), and oxygen (O₂) concentrations in controlled and uncontrolled emissions from natural gas-fired reciprocating engines, combustion turbines, boilers, and process heaters using portable analyzers with electrochemical cells. The use of reference method equivalent analyzers is acceptable provided the appropriate reference method procedures in 40 CFR 60, Appendix A are used. Due to the inherent cross sensitivities of the electrochemical cells, this method is not applicable to other pollutants.

1.2 Principle. A gas sample is continuously extracted from a stack and conveyed to a portable analyzer for determination of NO, NO₂, CO, and O₂ gas concentrations using electrochemical cells. Analyzer design specifications, performance specifications, and test procedures are provided to ensure reliable data. Additions to or modifications of vendor-supplied analyzers (e.g. heated sample line, flow meters, etc.) may be required to meet the design specifications of this test method.

2. RANGE AND SENSITIVITY

2.1 Analytical Range. The analytical range for each gas component is determined by the electrochemical cell design. A portion of the analytical range is selected to be the nominal range by choosing a span gas concentration near the flue gas concentrations or permitted emission level in accordance with Sections 2.1.1, 2.1.2 and 2.1.3.

2.1.1 CO and NO Span Gases. Choose a span gas concentration such that the average stack gas reading for each test is greater than 25 percent of the span gas concentration. Alternatively, choose the span gas such that it is not greater than 3.33 times the concentration equivalent to the emission standard. If concentration results exceed 125 percent of the span gas at any time during the test, then the test for that pollutant is invalid.

2.1.2 NO₂ Span Gas. Choose a span gas concentration such that the average stack gas reading for each test is greater than 25 percent of the span gas concentration. Alternatively, choose the span gas concentration such that it is not greater than the ppm concentration value of the NO span gas. The tester should be aware NO₂ cells are generally designed to measure much lower concentrations than NO cells and the span gas should be chosen accordingly. If concentration results exceed 125 percent of the span gas at any time during the test, then the test for that pollutant is invalid.

2.1.3 O₂ Span Gas. The O₂ span gas shall be dry ambient air at 20.9% O₂.

3. DEFINITIONS

3.1 Measurement System. The total equipment required for the determination of gas concentration. The measurement system consists of the following major subsystems:

3.1.1 Sample Interface. That portion of a system used for one or more of the following: sample acquisition, sample transport, sample conditioning, or protection of the electrochemical cells from particulate matter and condensed moisture.

3.1.2 External Interference Gas Scrubber. A tube filled with scrubbing agent used to remove interfering compounds upstream of some electrochemical cells.

3.1.3 Electrochemical (EC) Cell. That portion of the system that senses the gas to be measured and generates an output proportional to its concentration. Any cell that uses diffusion-limited oxidation and reduction reactions to produce an electrical potential between a sensing electrode and a counter electrode.

3.1.4 Data Recorder. It is recommended that the analyzers be equipped with a strip chart recorder, computer, or digital recorder for recording measurement data. However, the operator may record the test results manually in accordance with the requirements of Section 7.5.

3.2 Nominal Range. The range of concentrations over which each cell is operated (25 to 125 percent of span gas value). Several nominal ranges may be used for any given cell as long as the linearity and stability check results remain within specification.

3.3 Span Gas. The high level concentration gas chosen for each nominal range.

3.4 Zero Calibration Error. For the NO, NO₂ and CO channels, the absolute value of the difference, expressed as a percent of the span gas, between the gas concentration exhibited by the gas analyzer when a zero level calibration gas is introduced to the analyzer and the known concentration of the zero level calibration gas. For the O₂ channel, the difference, expressed as percent O₂, between the gas concentration exhibited by the gas analyzer when a zero level calibration gas is introduced to the analyzer and the known concentration of the zero level calibration gas.

3.5 Span Calibration Error. For the NO, NO₂ and CO channels, the absolute value of the difference, expressed as a percent of the span gas, between the gas concentration exhibited by the gas analyzer when a span gas is introduced to the analyzer and the known concentration of the span gas. For the O₂ channel, the difference, expressed as percent O₂, between the gas concentration exhibited by the gas analyzer when a span gas is introduced to the analyzer and the known concentration of the span gas.

3.6 Response Time. The amount of time required for the measurement system to display 95 percent of a step change in the NO or CO gas concentration on the data recorder (90 percent of a step change for NO₂).

3.7 Interference Check. A method of quantifying analytical interferences from components in

the stack gas other than the analyte.

3.8 Linearity Check. A method of demonstrating the ability of a gas analyzer to respond consistently over a range of gas concentrations.

3.9 Stability Check. A method of demonstrating an electrochemical cell operated over a given nominal range provides a stable response and is not significantly affected by prolonged exposure to the analyte.

3.10 Stability Time. As determined during the stability check; the elapsed time from the start of the gas injection until a stable reading has been achieved.

3.11 Initial NO Cell Temperature. The temperature of the NO cell during the pretest calibration error check. Since the NO cell can experience significant zero drift with cell temperature changes in some situations, the cell temperature must be monitored if the analyzer does not display negative concentration results. Alternatively, manufacturer's documentation may be submitted showing the analyzer incorporates a NO cell temperature control and temperature exceedance warning system.

3.12 Test. The collection of emissions data from a source for an equal amount of time at each sample point and for a minimum of 21 minutes total.

4. MEASUREMENT SYSTEM PERFORMANCE SPECIFICATIONS

4.1 Zero Calibration Error. Less than or equal to ± 3 percent of the span gas value for NO, NO₂, and CO channels and less than or equal to ± 0.3 percent O₂ for the O₂ channel.

4.2 Span Calibration Error. Less than or equal to ± 5 percent of the span gas value for NO, NO₂, and CO channels and less than or equal to ± 0.5 percent O₂ for the O₂ channel.

4.3 Interference Response. The CO and NO interference responses must be less than or equal to 5 percent as calculated in accordance with Section 7.7.

4.4 Linearity. For the zero, mid-level, and span gases, the absolute value of the difference, expressed as a percent of the span gas, between the gas value and the analyzer response shall not be greater than 2.5 percent for NO, CO and O₂ cells and not greater than 3.0 percent for NO₂ cells.

4.5 Stability Check Response. The analyzer responses to CO, NO, and NO₂ span gases shall not vary more than 3.0 percent of span gas value over a 30-minute period or more than 2.0 percent of the span gas value over a 15-minute period.

4.6 CO Measurement, Hydrogen (H₂) Compensation. It is recommended that CO measurements be performed using a hydrogen-compensated EC cell since CO-measuring EC cells can experience significant reaction to the presence of H₂ in the gas stream. Sampling systems equipped with a scrubbing agent prior to the CO cell to remove H₂ interferent gases may also be used.

5. APPARATUS AND REAGENTS

5.1 Measurement System. Use any measurement system that meets the performance and design specifications in Sections 4 and 5 of this method. The sampling system shall maintain the gas sample at a temperature above the dew point up to the moisture removal system. The sample conditioning system shall be designed so there are no entrained water droplets in the gas sample when it contacts the electrochemical cells. A schematic of an acceptable measurement system is shown in Figure 1. The essential components of the measurement system are described below:

5.1.1 Sample Probe. Glass, stainless steel, or other nonreactive material, of sufficient length to sample per the requirements of Section 7. If necessary to prevent condensation, the sampling probe shall be heated.

5.1.2 Heated Sample Line. Heated (sufficient to prevent condensation) nonreactive tubing such as teflon, stainless steel, glass, etc. to transport the sample gas to the moisture removal system. (Includes any particulate filters prior to the moisture removal system.)

5.1.3 Sample Transport Lines. Nonreactive tubing such as teflon, stainless steel, glass, etc. to transport the sample from the moisture removal system to the sample pump, sample flow rate control, and electrochemical cells.

5.1.4 Calibration Assembly. A tee fitting to attach to the probe tip or where the probe attaches to the sample line for introducing calibration gases at ambient pressure during the calibration error checks. The vented end of the tee should have a flow indicator to ensure sufficient calibration gas flow. Alternatively use any other method that introduces calibration gases at the probe at atmospheric pressure.

5.1.5 Moisture Removal System. A chilled condenser or similar device (e.g., permeation dryer) to remove condensate continuously from the sample gas while maintaining minimal contact between the condensate and the sample gas.

5.1.6 Particulate Filter. Filters at the probe or the inlet or outlet of the moisture removal system and inlet of the analyzer may be used to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters shall be fabricated of materials that are nonreactive to the gas being sampled.

5.1.7 Sample Pump. A leak-free pump to pull the sample gas through the system at a flow rate sufficient to minimize the response time of the measurement system. The pump may be constructed of any material that is nonreactive to the gas being sampled.

5.1.8 Sample Flow Rate Control. A sample flow rate control valve and rotameter, or equivalent, to maintain a constant sampling rate within 10 percent during sampling and calibration error checks. The components shall be fabricated of materials that are nonreactive to the gas being sampled.

5.1.9 Gas Analyzer. A device containing electrochemical cells to determine the NO, NO₂, CO, and O₂ concentrations in the sample gas stream and, if necessary, to correct for interference effects. The analyzer shall meet the applicable performance specifications of Section 4. A means of controlling the analyzer flow rate and a device for determining proper sample flow rate (e.g., precision rotameter, pressure gauge downstream of all flow controls, etc.) shall be provided at the analyzer. (Note: Housing the analyzer in a clean, thermally-stable, vibration-free environment will minimize drift in the analyzer calibration, but this is not a requirement of the method.)

5.1.10 Data Recorder. A strip chart recorder, computer, or digital recorder, for recording measurement data. The data recorder resolution (i.e., readability) shall be at least 1 ppm for CO, NO, and NO₂; 0.1 percent O₂ for O₂; and one degree (C or F) for temperature.

5.1.11 External Interference Gas Scrubber. Used by some analyzers to remove interfering compounds upstream of a CO electrochemical cell. The scrubbing agent should be visible and should have a means of determining when the agent is exhausted (e.g., color indication).

5.1.12 NO Cell Temperature Indicator. A thermocouple, thermistor, or other device must be used to monitor the temperature of the NO electrochemical cell. The temperature may be monitored at the surface of the cell, within the cell or in the cell compartment. Alternatively, manufacturer's documentation may be submitted showing the analyzer incorporates a NO cell temperature control and temperature exceedance warning system.

5.1.13 Dilution Systems. The use of dilution systems will be allowed with prior approval of the Air Quality Division.

5.2 Calibration Gases. The CO, NO, and NO₂ calibration gases for the gas analyzer shall be CO in nitrogen or CO in nitrogen and O₂, NO in nitrogen, and NO₂ in air or nitrogen. The mid-level O₂ gas shall be O₂ in nitrogen.

5.2.1 Span Gases. Used for calibration error, linearity, and interference checks of each nominal range of each cell. Select concentrations according to procedures in Section 2.1. Clean dry air may be used as the span gas for the O₂ cell as specified in Section 2.1.3.

5.2.2 Mid-Level Gases. Select concentrations that are 40-60 percent of the span gas concentrations.

5.2.3 Zero Gas. Concentration of less than 0.25 percent of the span gas for each component. Ambient air may be used in a well ventilated area for the CO, NO, and NO₂ zero gases.

6. MEASUREMENT SYSTEM PERFORMANCE CHECK PROCEDURES. Perform the following procedures before the measurement of emissions under Section 7.

6.1 Calibration Gas Concentration Certification. For the mid-level and span cylinder gases, use calibration gases certified according to EPA Protocol 1 procedures. Calibration gases must meet the criteria under 40 CFR 60, Appendix F, Section 5.1.2 (3). Expired Protocol 1 gases may be recertified using the applicable reference methods.

6.2 Linearity Check. Conduct the following procedure once for each nominal range to be used on each electrochemical cell (NO, NO₂, CO, and O₂). After a linearity check is completed, it remains valid for five consecutive calendar days. After the five calendar day period has elapsed, the linearity check must be reaccomplished. Additionally, reaccomplish the linearity check if the cell is replaced. (If the stack NO₂ concentration is less than 5% of the stack NO concentration as determined using the emission test procedures under Section 7, the NO₂ linearity check is not required. However, the NO₂ cell shall be calibrated in accordance with the manufacturer's instructions, the pretest calibration error check and post test calibration error check shall be conducted in accordance with Section 7, and the test results shall be added to the NO test values to obtain a total NO_x concentration.)

6.2.1 Linearity Check Gases. For each cell obtain the following gases: zero (0-0.25 percent of nominal range), mid-level (40-60 percent of span gas concentration), and span gas (selected according to Section 2.1).

6.2.2 Linearity Check Procedure. If the analyzer uses an external interference gas scrubber with a color indicator, using the analyzer manufacturer's recommended procedure, verify the scrubbing agent is not depleted. After calibrating the analyzer with zero and span gases, inject the zero, mid-level, and span gases appropriate for each nominal range to be used on each cell. Gases need not be injected through the entire sample handling system. Purge the analyzer briefly with ambient air between gas injections. For each gas injection, verify the flow rate is constant and the analyzer responses have stabilized before recording the responses on Form A.

6.3 Interference Check. A CO cell response to the NO and NO₂ span gases or an NO cell response to the NO₂ span gas during the linearity check may indicate interferences. If these cell responses are observed during the linearity check, it may be desirable to quantify the CO cell response to the NO and NO₂ span gases and the NO cell response to the NO₂ span gas during the linearity check and use estimated stack gas CO, NO and NO₂ concentrations to evaluate whether or not the portable analyzer will meet the post test interference check requirements of Section 7.7. This evaluation using the linearity check data is optional. However, the interference checks

under Section 7.7 are mandatory for each test.

6.4 Stability Check. Conduct the following procedure once for the maximum nominal range to be used on each electrochemical cell (NO, NO₂ and CO). After a stability check is completed, it remains valid for five consecutive calendar days. After the five calendar day period has elapsed, the stability check must be reaccomplished. Additionally, reaccomplish the stability check if the cell is replaced or if a cell is exposed to gas concentrations greater than 125 percent of the highest span gas concentration. (If the stack NO₂ concentration is less than 5% of the stack NO concentration as determined using the emission test procedures under Section 7, the NO₂ stability check is not required. However, the NO₂ cell shall be calibrated in accordance with the manufacturer's instructions, the pretest calibration error check and post test calibration error check shall be conducted in accordance with Section 7, and the test results shall be added to the NO test values to obtain a total NO_x concentration.)

6.4.1 Stability Check Procedure. Inject the span gas for the maximum nominal range to be used during the emission testing into the analyzer and record the analyzer response at least once per minute until the conclusion of the stability check. One-minute average values may be used instead of instantaneous readings. After the analyzer response has stabilized, continue to flow the span gas for at least a 30-minute stability check period. Make no adjustments to the analyzer during the stability check except to maintain constant flow. Record the stability time as the number of minutes elapsed between the start of the gas injection and the start of the 30-minute stability check period. As an alternative, if the concentration reaches a peak value within five minutes, you may choose to record the data for at least a 15-minute stability check period following the peak.

6.4.2 Stability Check Calculations. Determine the highest and lowest concentrations recorded during the 30-minute period and record the results on Form B. The absolute value of the difference between the maximum and minimum values recorded during the 30-minute period must be less than 3.0 percent of the span gas concentration. Alternatively, record stability check data in the same manner for the 15-minute period following the peak concentration. The

difference between the maximum and minimum values for the 15-minute period must be less than 2.0 percent of the span gas concentration.

7. EMISSION TEST PROCEDURES. Prior to performing the following emission test procedures, calibrate/challenge all electrochemical cells in the analyzer in accordance with the manufacturer's instructions.

7.1 Selection of Sampling Site and Sampling Points.

7.1.1 Reciprocating Engines. Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction, or recirculation take-offs) and one half stack diameter upstream of the gas discharge to the atmosphere. Use a sampling location at a single point near the center of the duct.

7.1.2 Combustion Turbines. Select a sampling site and sample points according to the procedures in 40 CFR 60, Appendix A, Method 20. Alternatively, the tester may choose an alternative sampling location and/or sample from a single point in the center of the duct if previous test data demonstrate the stack gas concentrations of CO, NO_x, and O₂ do not vary significantly across the duct diameter.

7.1.3 Boilers/Process Heaters. Select a sampling site located at least two stack diameters downstream of any disturbance and one half stack diameter upstream of the gas discharge to the atmosphere. Use a sampling location at a single point near the center of the duct.

7.2 Warm Up Period. Assemble the sampling system and allow the analyzer and sample interface to warm up and adjust to ambient temperature at the location where the stack measurements will take place.

7.3 Pretest Calibration Error Check. Conduct a zero and span calibration error check before testing each new source. Conduct the calibration error check near the sampling location just prior to the start of an emissions test. Keep the analyzer in the same location until the post test calibration error check is conducted.

7.3.1 Scrubber Inspection. For analyzers that use an external interference gas scrubber tube, inspect the condition of the scrubbing agent and ensure it will not be exhausted during sampling. If scrubbing agents are recommended by the manufacturer, they should be in place during all sampling, calibration and performance checks.

7.3.2 Zero and Span Procedures. Inject the zero and span gases using the calibration assembly. Ensure the calibration gases flow through all parts of the sample interface. During this check, make no adjustments to the system except those necessary to achieve the correct calibration gas flow rate at the analyzer. Set the analyzer flow rate to the value recommended by the analyzer manufacturer. Allow each reading to stabilize before recording the result on Form C. The time allowed for the span gas to stabilize shall be no less than the stability time noted during the stability check. After achieving a stable response, disconnect the gas and briefly purge with ambient air.

7.3.3 Response Time Determination. Determine the NO and CO response times by observing the time required to respond to 95 percent of a step change in the analyzer response for both the zero and span gases. Note the longer of the two times as the response time. For the NO₂ span gas record the time required to respond to 90 percent of a step change.

7.3.4 Failed Pretest Calibration Error Check. If the zero and span calibration error check results are not within the specifications in Section 4, take corrective action and repeat the calibration error check until acceptable performance is achieved.

7.4 NO Cell Temperature Monitoring. Record the initial NO cell temperature during the pretest calibration error check on Form C and monitor and record the temperature regularly (at least once each 7 minutes) during the sample collection period on Form D. If at any time during sampling, the NO cell temperature is 85 degrees F or greater and has increased or decreased by more than 5 degrees F since the pretest calibration, stop sampling immediately and conduct a post test calibration error check per Section 7.6, re-zero the analyzer, and then conduct another pretest calibration error check per Section 7.3 before continuing. (It is recommended that testing be discontinued if the NO cell exceeds 85 degrees F since the design characteristics of the NO cell indicate a significant measurement error can occur as the temperature of the NO cell increases above this temperature. From a review of available data, these errors appear to result in a positive bias of the test results.)

Alternatively, manufacturer's documentation may be submitted showing the analyzer is configured with an automatic temperature control system to maintain the cell temperature below 85 degrees F (30 degrees centigrade) and provides automatic temperature reporting any time this temperature is exceeded. If automatic temperature control/exceedance reporting is used, test data collected when the NO cell temperature exceeds 85 degrees F is invalid.

7.5 Sample Collection. Position the sampling probe at the first sample point and begin sampling at the same rate used during the calibration error check. Maintain constant rate sampling (± 10 percent of the analyzer flow rate value used in Section 7.3.2) during the entire test. Sample for an equal period of time at each sample point. Sample the stack gas for at least twice the response time or the period of the stability time, whichever is greater, before collecting test data at each sample point. A 21 minute period shall be considered a test for each source. When sampling combustion turbines per Section 7.1.2, collect test data as required to meet the requirements of 40 CFR 60, Appendix A, Method 20. Data collection should be performed for

an equal amount of time at each sample point and for a minimum of 21 minutes total. The concentration data must be recorded either (1) at least once each minute, or (2) as a block average for the test using values sampled at least once each minute. Do not break any seals in the sample handling system until after the post test calibration error check (this includes opening the moisture removal system to drain condensate).

7.6 Post Test Calibration Error Check. Immediately after the test, conduct a zero and span calibration error check using the procedure in Section 7.3. Conduct the calibration error check at the sampling location. Make no changes to the sampling system or analyzer calibration until all of the calibration error check results have been recorded. If the zero or span calibration error exceeds the specifications in Section 4, then all test data collected since the previous calibration error check are invalid. If the sampling system is disassembled or the analyzer calibration is adjusted, repeat the pretest calibration error check before conducting the next test.

7.7 Interference Check. Use the post test calibration error check results and average emission concentrations for the test to calculate interference responses (I_{NO} and I_{CO}) for the CO and NO cells. If an interference response exceeds 5 percent, all emission test results since the last successful interference test for that compound are invalid.

7.7.1 CO Interference Response.

$$I_{CO} = \left[\left(\frac{R_{CO-NO}}{C_{NOG}} \right) \left(\frac{C_{NOS}}{C_{COS}} \right) + \left(\frac{R_{CO-NO_2}}{C_{NO_2G}} \right) \left(\frac{C_{NO_2S}}{C_{COS}} \right) \right] \times 100$$

- where:
- I_{CO} = CO interference response (percent)
 - R_{CO-NO} = CO response to NO span gas (ppm CO)
 - C_{NOG} = concentration of NO span gas (ppm NO)
 - C_{NOS} = concentration of NO in stack gas (ppm NO)
 - C_{COS} = concentration of CO in stack gas (ppm CO)
 - R_{CO-NO_2} = CO response to NO₂ span gas (ppm CO)
 - C_{NO_2G} = concentration of NO₂ span gas (ppm NO₂)

C_{NO_2S} = concentration of NO₂ in stack gas (ppm NO₂)

7.7.2 NO Interference Response.

$$I_{NO} = \left(\frac{R_{NO-NO_2}}{C_{NO_2G}} \right) \left(\frac{C_{NO_2S}}{C_{NO_xS}} \right) \times 100$$

where:

- I_{NO} = NO interference response (percent)
- R_{NO-NO_2} = NO response to NO₂ span gas (ppm NO)
- C_{NO_2G} = concentration of NO₂ span gas (ppm NO₂)
- C_{NO_2S} = concentration of NO₂ in stack gas (ppm NO₂)
- C_{NO_xS} = concentration of NO_x in stack gas (ppm NO_x)

7.8 Re-Zero. At least once every three hours, recalibrate the analyzer at the zero level according to the manufacturer's instructions and conduct a pretest calibration error check before resuming sampling. If the analyzer is capable of reporting negative concentration data (at least 5 percent of the span gas below zero), then the tester is not required to re-zero the analyzer.

8. DATA COLLECTION. This section summarizes the data collection requirements for this protocol.

8.1 Linearity Check Data. Using Form A, record the analyzer responses in ppm NO, NO₂, and CO, and percent O₂ for the zero, mid-level, and span gases injected during the linearity check under Section 6.2.2. To evaluate any interferences, record the analyzer responses in ppm CO to the NO and NO₂ span gases and the analyzer response in ppm NO to the NO₂ span gas. Calculate the CO and NO interference responses using the equations under Sections 7.7.1 and 7.7.2, respectively, and estimated stack gas CO, NO and NO₂ concentrations.

8.2 Stability Check Data. Record the analyzer response at least once per minute during the stability check under Section 6.4.1. Use Form B for each pollutant (NO, NO₂, and CO). One-minute average values may be used instead of instantaneous readings. Record the stability time as the number of minutes elapsed between the start of the gas injection and the start of the 30-minute stability check period. If the concentration reaches a peak value within five minutes of the gas injection, you may choose to record the data for at least a 15-minute stability check period following the peak. Use the information recorded to determine the analyzer stability under Section 6.4.2.

8.3 Pretest Calibration Error Check Data. On Form C, record the analyzer responses to the zero and span gases for NO, NO₂, CO, and O₂ injected prior to testing each new source. Record the calibration zero and span gas concentrations for NO, NO₂, CO, and O₂. For NO, NO₂ and CO, record the absolute difference between the analyzer response and the calibration gas concentration, divide by the span gas concentration, and multiply by 100 to obtain the percent of span. For O₂, record the absolute value of the difference between the analyzer response and the O₂ calibration gas concentration. Record whether the calibration is valid by comparing the percent of span or difference between the calibration gas concentration and analyzer O₂ response, as applicable, with the specifications under Section 4.1 for the zero calibrations and Section 4.2 for the span calibrations. Record the response times for the NO, CO, and NO₂ zero and span gases as described under Section 7.3.3. Select the longer of the two times for each pollutant as

the response time for that pollutant. Record the NO cell temperature during the pretest calibration.

8.4 Test Data. On Form D-1, D-2, or D-3, record the source operating parameters during the test. Record the test start and end times. Record the NO cell temperature after one third of the test (e.g., after seven minutes) and after two thirds of the test (e.g., after 14 minutes). From the analyzer responses recorded each minute during the test, obtain the average flue gas concentration of each pollutant. These are the uncorrected test results.

8.5 Post Test Calibration Error Check Data. On Form C, record the analyzer responses to the zero and span gases for NO, NO₂, CO, and O₂ injected immediately after the test. To evaluate any interferences, record the analyzer responses in ppm CO to the NO and NO₂ span gases and the analyzer response in ppm NO to the NO₂ span gas. Record the calibration zero and span gas concentrations for NO, NO₂, CO, and O₂. For NO, NO₂ and CO, record the absolute difference between the analyzer response and the calibration gas concentration, divide by the span gas concentration, and multiply by 100 to obtain the percent of span. For O₂, record the absolute value of the difference between the analyzer response and the O₂ calibration gas concentration. Record whether the calibration is valid by comparing the percent of span or difference between the calibration gas concentration and analyzer O₂ response, as applicable, with the specifications under Section 4.1 for the zero calibrations and Section 4.2 for the span calibrations. (If the pretest and post test calibration error check results are not within the limits specified in Sections 4.1 and 4.2, data collected during the test is invalid and the test must be repeated.) Record the NO cell temperature during the post test calibration. Calculate the average of the monitor readings during the pretest and post test calibration error checks for the zero and span gases for NO, NO₂, CO, and O₂. The pretest and post test calibration error check results are used to make the calibration corrections under Section 9.1. Calculate the CO and NO interference responses using the equations under Sections 7.7.1 and 7.7.2, respectively and measured stack gas CO, NO and NO₂ concentrations.

8.6 Corrected Test Results. Correct the test results using the equation under Section 9.1. Add

the corrected NO and NO₂ concentrations together to obtain the corrected NO_x concentration. Calculate the emission rates using the equations under Section 10 for comparison with the emission limits. Record the results on Form D-1, D-2, or D-3. Sign the certification regarding the accuracy and representation of the emissions from the source.

9. CALIBRATION CORRECTIONS

9.1 Emission Data Corrections. Emissions data shall be corrected for a test using the following equation. (Note: If the pretest and post test calibration error check results are not within the limits specified in Sections 4.1 and 4.2, the test results are invalid and the test must be repeated.)

$$C_{Corrected} = (C_R - C_O) \frac{C_{MA}}{C_M - C_O}$$

where: $C_{Corrected}$ = corrected flue gas concentration (ppm)
 C_R = flue gas concentration indicated by gas analyzer (ppm)
 C_O = average of pretest and post test analyzer readings during the zero checks (ppm)
 C_M = average of pretest and post test analyzer readings during the span checks (ppm)
 C_{MA} = actual concentration of span gas (ppm)

10. EMISSION CALCULATIONS

10.1 Emission Calculations for Reciprocating Engines and Combustion Turbines.

Emissions shall be calculated and reported in units of the allowable emission limit as specified in the permit. The allowable may be stated in pounds per hour (lb/hr), grams per horsepower hour (gm/hp-hr), or both. EPA Reference Method 19 shall be used as the basis for calculating the emissions. As an alternative, EPA Reference Methods 1-4 may be used to obtain a stack volumetric flow rate.

10.1.1 Reciprocating Engines and Combustion Turbines Above 500 Horsepower. All reciprocating engines and combustion turbines above 500 horsepower (site-rated) should be equipped with fuel flow meters for measuring fuel consumption during the portable analyzer test.

State of Wyoming Portable Analyzer Monitoring Protocol

The fuel meter shall be maintained and calibrated according to the manufacturer's recommendations. Records of all maintenance and calibrations shall be kept for five years. Reciprocating engines above 500 horsepower which are not equipped with fuel flow meters may use the site-rated horsepower and default specific fuel consumption factors, based on the higher heating value of the fuel, of 9,400 Btu/hp-hr for 4-cycle engines (controlled and uncontrolled) and 2-cycle lean burn engines and 11,000 Btu/hp-hr for 2-cycle uncontrolled (non-lean burn) engines to calculate emission rates. Emissions shall be calculated using the following methods.

10.1.1.1 Reciprocating Engines and Combustion Turbines Equipped with Fuel Meters.

EPA Reference Method 19 and heat input per hour (MMBtu/hr) shall be used to calculate a pound per hour emission rate. Heat input per hour shall be based on the average hourly fuel usage rate during the test and the higher heating value of the fuel consumed. The emission rates shall be calculated using the following equations.

$$lb/hr NO_x = (ppm NO_{x\ corrected})(1.19 \times 10^7)(F\ Factor_{Note\ 1})\left(\frac{20.9}{20.9 - O_2\ \%_{corrected}}\right)(Heat\ Input\ Per\ Hour_{Note\ 2})$$

$$lb/hr CO = (ppm CO_{corrected})(7.27 \times 10^{-8})(F\ Factor_{Note\ 1})\left(\frac{20.9}{20.9 - O_2\ \%_{corrected}}\right)(Heat\ Input\ Per\ Hour_{Note\ 2})$$

Note 1 - Use 8710 dscf/MMBtu unless calculated based on actual fuel gas composition and higher heating value of the fuel.

Note 2 - Heat input per hour (MMBtu/hr) shall be based on the average hourly fuel usage during the test and the higher heating value of the fuel consumed.

If the reciprocating engine or combustion turbine horsepower can be derived from operating conditions during the portable analyzer test, this derived horsepower should be used to calculate a gram per horsepower hour emission rate using the following equations. Information showing the derivation of the horsepower shall be provided with the test results.

$$gm/hp - hr CO = \frac{(lb/hr CO)(454)}{(Tested Horsepower_{Note 1})}$$

$$gm/hp - hr NO_x = \frac{(lb/hr NO_x)(454)}{(Tested Horsepower_{Note 1})}$$

Note 1 - Horsepower determined during the test.

If the reciprocating engine horsepower during the time of testing cannot be determined from the operating data, the operating horsepower for the time of the test shall be calculated based on the heat input per hour during the test and the default values shown below for specific fuel consumption based on the higher heating value of the fuel. Heat input per hour (MMBtu/hr) shall be calculated based on the average hourly fuel usage during the test and the higher heating value of the fuel consumed. For 4-cycle engines (controlled and uncontrolled) and 2-cycle lean burn engines, use a default specific fuel consumption of 9,400 Btu/hp-hr. For 2-cycle uncontrolled (non-lean burn) engines, use a default specific fuel consumption of 11,000 Btu/hp-hr. Calculate the gram per horsepower hour emission rates using the following equations.

$$Engine\ Horsepower = \frac{(Heat\ Input\ Per\ Hour_{Note\ 1})(10^6)}{(Specific\ Fuel\ Consumption_{Note\ 2})}$$

$$gm/hp - hr NO_x = \frac{(lb/hr NO_x)(454)}{(Engine\ Horsepower)}$$

$$gm/hp - hr CO = \frac{(lb/hr CO)(454)}{(Engine\ Horsepower)}$$

Note 1 - Heat input per hour (MMBtu/hr) shall be based on the average hourly fuel usage during the test and the higher heating value of the fuel consumed.

Note 2 - Default Specific Fuel Consumption (Btu/hp-hr) shall be as defined above for the particular type of engine tested.

State of Wyoming Portable Analyzer Monitoring Protocol

If the combustion turbine horsepower cannot be calculated during the testing, the emissions shall be reported in terms of concentration (ppm by volume, dry basis) corrected to 15 percent O₂. Compliance with the concentrations corrected to 15 percent O₂ as submitted in the air quality permit application and/or set as an allowable in the permit will demonstrate compliance with the gm/hp-hr allowable. Use the following equations to correct the concentrations to 15 percent O₂.

$$ppm NO_{X@15\%O_2} = ppm NO_{X\ corrected} \left(\frac{5.9}{20.9 - O_2\%_{corrected}} \right)$$

$$ppm CO_{@15\%O_2} = ppm CO_{corrected} \left(\frac{5.9}{20.9 - O_2\%_{corrected}} \right)$$

10.1.1.2 Reciprocating Engines Above 500 Horsepower Not Equipped with Fuel Meters. If reciprocating engines above 500 horsepower (site-rated) are not equipped with fuel flow meters during the test, emissions shall be calculated using the site-rated horsepower and default specific fuel consumption factors, based on the higher heating value of the fuel, of 9,400 Btu/hp-hr for 4- ... cycle engines (controlled and uncontrolled) and 2-cycle lean burn engines and 11,000 Btu/hp-hr for 2-cycle uncontrolled (non-lean burn) engines. The following equations shall be used to calculate emissions.

$$gm/hr NO_x = (ppm NO_x \text{ corrected})(1.19 \times 10^{-7})(F \text{ Factor}_{\text{Note 1}})\left(\frac{20.9}{20.9 - O_2\% \text{ corrected}}\right) \\ (\text{Specific Fuel Consumption}_{\text{Note 2}})(10^{-6})(454)$$

$$lb/hr NO_x = \frac{(gm/hr - hr NO_x)(\text{Engine Horsepower}_{\text{Note 3}})}{454}$$

$$gm/hr - hr CO = (ppm CO \text{ corrected})(7.27 \times 10^{-8})(F \text{ Factor}_{\text{Note 1}})\left(\frac{20.9}{20.9 - O_2\% \text{ corrected}}\right) \\ (\text{Specific Fuel Consumption}_{\text{Note 2}})(10^{-6})(454)$$

$$lb/hr CO = \frac{(gm/hr - hr CO)(\text{Engine Horsepower}_{\text{Note 3}})}{454}$$

Note 1 - Use 8710 dscf/MMBtu unless calculated based on actual fuel gas composition and higher heating value of the fuel.

Note 2 - Default Specific Fuel Consumption (Btu/hp-hr) shall be as defined above for the particular type of engine tested.

Note 3 - Site-rated engine horsepower.

10.1.2 Reciprocating Engines Below 500 Horsepower. Reciprocating engines below 500 horsepower may calculate emission rates using the derived horsepower for the operating conditions during the portable analyzer test (either from engine parameter measurements or calculated from compressor operating parameters) and the manufacturer's specific fuel consumption based on the higher heating value of the fuel consumed during the test. Information showing the derivation of the engine operating horsepower and manufacturer's specific fuel consumption shall be provided with the test results. The following equations shall be used to calculate emission rates.

State of Wyoming Portable Analyzer Monitoring Protocol

$$gm/hr NO_x = (ppm NO_{x \text{ corrected}})(1.19 \times 10^{-7})(F \text{ Factor}_{\text{Note 1}})\left(\frac{20.9}{20.9 - O_2\% \text{ corrected}}\right) \\ (Specific \text{ Fuel Consumption}_{\text{Note 2}})(10^{-6})(454)$$

$$gm/hr CO = (ppm CO_{\text{corrected}})(7.27 \times 10^{-8})(F \text{ Factor}_{\text{Note 1}})\left(\frac{20.9}{20.9 - O_2\% \text{ corrected}}\right) \\ (Specific \text{ Fuel Consumption}_{\text{Note 2}})(10^{-6})(454)$$

Note 1 - Use 8710 dscf/MMBtu unless calculated based on actual fuel gas composition and the higher heating value of the fuel.

Note 2 - Use manufacturer's specific fuel consumption based on the higher heating value of the fuel and include manufacturer's data with the test results. If the manufacturer reports the specific fuel consumption based on the lower heating value of the fuel, multiply by 1.11 to obtain the specific fuel consumption based on the higher heating value of the fuel.

Pound per hour emission rates shall be calculated using the gram per horsepower hour emission rates and the engine horsepower derived from engine or compressor operating parameter data. If engine horsepower data is not available, site-rated horsepower shall be used to calculate pound

$$lb/hr NO_x = \frac{(gm/hr NO_x)(Engine \text{ Horsepower}_{\text{Note 1}})}{(454)} \\ lb/hr CO = \frac{(gm/hr CO)(Engine \text{ Horsepower}_{\text{Note 1}})}{(454)}$$

per hour emissions. The following equations shall be used to calculate emission rates.

Note 1 - Use derived operating horsepower and include derivation method/calculations with the test results.

If a derived horsepower is not available or cannot be obtained, use site-rated horsepower.

10.2 Emission Calculations for Heaters/Boilers. For heaters and boilers, pound per million Btu (lb/MMBtu) emission rates shall be calculated based on EPA Reference Method 19. The pound per million Btu emission rates shall be converted to pound per hour emission rates using heat input per hour (MMBtu/hr). The heat input per hour shall be calculated using the average hourly fuel usage rate during test and the higher heating value of the fuel consumed or the permitted maximum heat input per hour for the boiler or heater. If a fuel meter is used to obtain heat input per hour data, the fuel meter shall be maintained and calibrated according to the manufacturer's recommendations. Records of all maintenance and calibrations shall be kept for five years. As an alternative, EPA Reference Methods 1-4 may be used to obtain a stack volumetric flow rate. The following equations shall be used to calculate emission rates.

$$lb/MMBtu NO_x = (ppm NO_{x \text{ corrected}})(1.19 \times 10^{-7})(F \text{ Factor}_{\text{Note 1}})\left(\frac{20.9}{20.9 - O_2\% \text{ corrected}}\right)$$

$$lb/MMBtu CO = (ppm CO_{\text{corrected}})(7.27 \times 10^{-8})(F \text{ Factor}_{\text{Note 1}})\left(\frac{20.9}{20.9 - O_2\% \text{ corrected}}\right)$$

$$lb/hr NO_x = (lb/MMBtu NO_x)(Heat Input_{\text{Note 2}})$$

$$lb/hr CO = (lb/MMBtu CO)(Heat Input_{\text{Note 2}})$$

Note 1 - Use 8710 dscf/MMBtu unless calculated based on actual fuel gas composition and the higher heating value of the fuel.

Note 2 - Heat input shall be based on the average hourly fuel usage rate during the test and the higher heating value of the fuel consumed if the boiler/heater is equipped with a fuel meter or the permitted maximum heat input if a fuel meter is not available.

11. REPORTING REQUIREMENTS AND RECORD KEEPING REQUIREMENTS

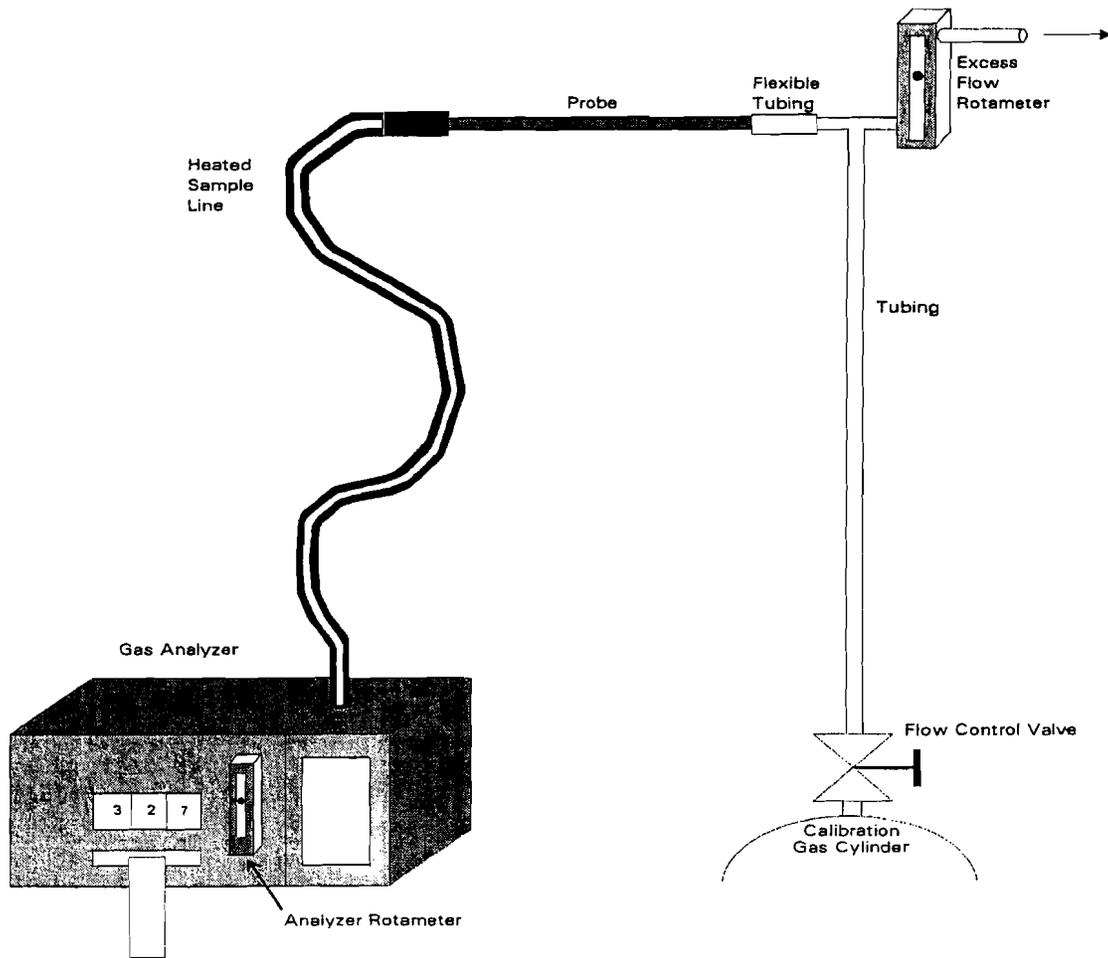
Test reports shall be submitted to the Air Quality Division within thirty (30) days of completing the test unless a specific reporting schedule is set by a condition of a permit. A separate test report shall be submitted for each emission source tested and, at a minimum, the following information shall be included:

- **Form A, Linearity Check Data Sheet**, Submit the linearity check as required by Section 6.2 for the nominal range tested.
- **Form B, Stability Check Data Sheet**, Submit the stability check as required by Section 6.4 for the nominal range tested.
- **Form C, Calibration Error Check Data Sheet**
- **Form D-1, D-2 or D-3**, Submit the appropriate test results form for type of source tested.
- If the manufacturer's specific fuel consumption is used, documentation from the manufacturer shall be submitted.
- If the horsepower is calculated during the test, information showing the derivation of the horsepower shall be included.

For sources subject to Section 30 of the Wyoming Air Quality Standards and Regulations, the submittal must be certified as truthful, accurate and complete by the facility's responsible official.

Records pertaining to the information above and supporting documentation shall be kept for five (5) years and made available upon request by this Division. Additionally, if the source is equipped with a fuel meter, records of all maintenance and calibrations of the fuel meter shall be kept for five (5) years from the date of the last maintenance or calibration.

**FIGURE 1.
CALIBRATION SYSTEM SCHEMATIC**



Form A

Linearity Check Data Sheet

Date: _____

Analyst: _____

Analyzer Manufacturer/Model #: _____

Analyzer Serial #: _____

LINEARITY CHECK

| Pollutant | | Calibration Gas Concentration (Indicate Units) | Analyzer Response ppm NO | Analyzer Response ppm NO ₂ | Analyzer Response ppm CO | Analyzer Response % O ₂ | Absolute Difference (Indicate Units) | Percent of Span | Linearity Valid (Yes or No) |
|-----------------|------|---|-----------------------------|--|-----------------------------|---------------------------------------|---|-----------------|--------------------------------|
| NO | Zero | | | | | | | | |
| | Mid | | | | | | | | |
| | Span | | | | | | | | |
| NO ₂ | Zero | | | | | | | | |
| | Mid | | | | | | | | |
| | Span | | | | | | | | |
| CO | Zero | | | | | | | | |
| | Mid | | | | | | | | |
| | Span | | | | | | | | |
| O ₂ | Zero | | | | | | | | |
| | Mid | | | | | | | | |
| | Span | | | | | | | | |

Form B Stability Check Data Sheet

Date: _____ Analyst: _____

Analyzer Manufacturer/Model #: _____

Analyzer Serial #: _____

Pollutant: NO, NO₂, CO (Circle One) Span Gas Concentration (ppm): _____

| STABILITY CHECK | | | | | |
|------------------------|-------------------|--------------------------|-------------------|--------------------------|-------------------|
| Elapsed Time (Minutes) | Analyzer Response | Elapsed Time (Continued) | Analyzer Response | Elapsed Time (Continued) | Analyzer Response |
| 1 | | 17 | | 33 | |
| 2 | | 18 | | 34 | |
| 3 | | 19 | | 35 | |
| 4 | | 20 | | 36 | |
| 5 | | 21 | | 37 | |
| 6 | | 22 | | 38 | |
| 7 | | 23 | | 39 | |
| 8 | | 24 | | 40 | |
| 9 | | 25 | | 41 | |
| 10 | | 26 | | 42 | |
| 11 | | 27 | | 43 | |
| 12 | | 28 | | 44 | |
| 13 | | 29 | | 45 | |
| 14 | | 30 | | 46 | |
| 15 | | 31 | | 47 | |
| 16 | | 32 | | 48 | |

For 30-minute Stability Check Period:

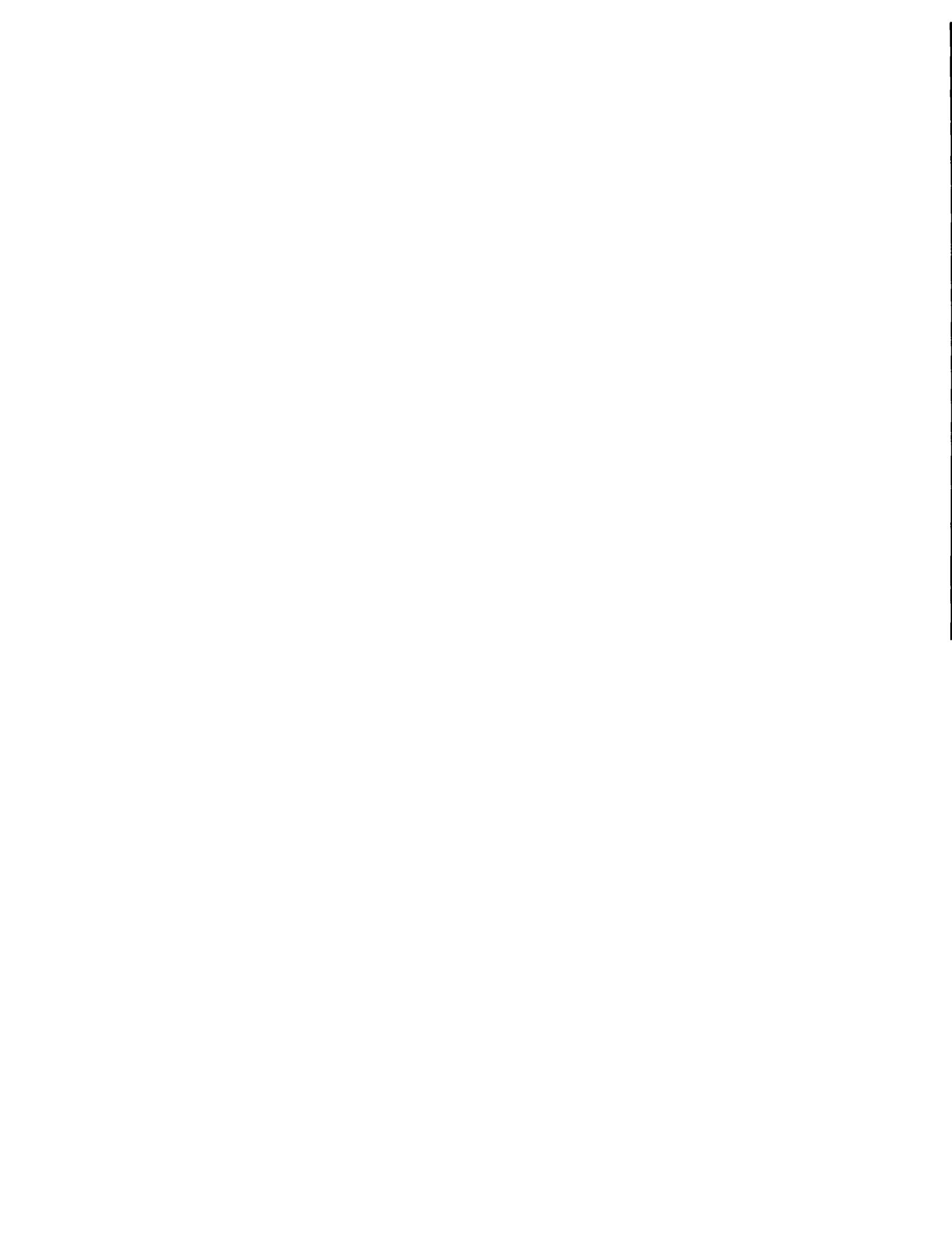
Maximum Concentration (ppm): _____ Minimum Concentration (ppm): _____

For 15-minute Stability Check Period:

Maximum Concentration (ppm): _____ Minimum Concentration (ppm): _____

Maximum Deviation = 100*(Max. Conc. - Min. Conc.)/Span Gas Conc. = _____ percent

Stability Time (minutes): _____



Form C Calibration Error Check Data Sheet

Company: _____ Facility: _____
 Source Tested: _____ Date: _____
 Analyst: _____ Analyzer Serial #: _____
 Analyzer Manufacturer/Model #: _____

| PRETEST CALIBRATION ERROR CHECK | | | | | | | | |
|---|------|---------------------------------|-----------------------------------|--|--------------------------------------|------------------------|-------------------------------|-------------------------|
| | | A | B | A-B | A-B /SG*100 | | | |
| | | Pump Flow Rate (Indicate Units) | Analyzer Reading (Indicate Units) | Calibration Gas Concentration (Indicate Units) | Absolute Difference (Indicate Units) | Percent of Span Note 1 | Calibration Valid (Yes or No) | Response Time (Minutes) |
| NO | Zero | | | | | | | |
| | Span | | | | | | | |
| NO ₂ | Zero | | | | | | | |
| | Span | | | | | | | |
| CO | Zero | | | | | | | |
| | Span | | | | | | | |
| O ₂ | Zero | | | | | | | |
| | Span | | | | | | | |
| Pretest Calibration NO Cell Temperature (°F): | | | | | | | | |

SG = Span Gas

| POST TEST CALIBRATION ERROR CHECK | | | | | | | | | | |
|---|------|---------------------------------|-----------------------------------|--|---|------------------------|-------------------------------|---|---------------------------|---------------------------|
| | | A | B | A-B | A-B /SG*100 | | Interference Check | | | |
| | | Pump Flow Rate (Indicate Units) | Analyzer Reading (Indicate Units) | Calibration Gas Concentration (Indicate Units) | Absolute Difference (Indicate Units) | Percent of Span Note 1 | Calibration Valid (Yes or No) | Average of Pretest and Post Test Analyzer Readings (Indicate Units) | NO Monitor Response (ppm) | CO Monitor Response (ppm) |
| NO | Zero | | | | | | | | | |
| | Span | | | | | | | | | |
| NO ₂ | Zero | | | | | | | | | |
| | Span | | | | | | | | | |
| CO | Zero | | | | | | | | | |
| | Span | | | | | | | | | |
| O ₂ | Zero | | | | | | | | | |
| | Span | | | | | | | | | |
| Post Test Calibration NO Cell Temperature (°F): | | | | | | | | | | |
| CO Interference Response (I _{CO} , %): | | | | | NO Interference Response (I _{NO} , %): | | | | | |

SG= Span Gas

Note 1: The percent of span calculation is applicable to the NO, NO₂ and CO channels only.

Form D-1 Reciprocating Engine Test Results

Company: _____ Facility: _____
 Source Tested: _____ Date: _____
 Source Manufacturer/Model #: _____
 Site-rated Horsepower: _____ Source Serial #: _____
 Type of Emission Control: _____
 Analyst: _____ Analyzer Serial #: _____
 Analyzer Manufacturer/Model #: _____

Operating Conditions

Source operating at 90 percent or greater site-rated horsepower during testing? yes no

| Suction/ Discharge Pressures (Indicate Units) | Engine RPM | Engine Gas Throughput (Indicate Units) | Engine Fuel Consumption (Indicate Units) | Fuel Heat Content (Btu/cf) | Engine Specific Fuel Consumption (Btu/hp-hr) ¹ | Engine Tested Horsepower |
|--|------------|--|--|----------------------------------|--|-----------------------------|
| | | | | | | |

¹ As reported by the Manufacturer

Test Results

Test Start Time: _____ NO Cell Temperature (°F) after 1/3 (e.g., 7 minutes) of the test: _____

Test End Time: _____ NO Cell Temperature (°F) after 2/3 (e.g., 14 minutes) of the test: _____

| NO _x (NO + NO ₂) | | | | | | | | |
|---|--------------------------------|------------------------------------|----------------------------------|----------------------------------|--------------------|-----------------|-----------------------|--------------------|
| Avg. Tested NO ppm | NO _{corrected} ppm | Avg. Tested NO ₂ ppm | NO _{2 corrected} ppm | NO _{x corrected} ppm | Tested gm/hp-hr | Tested lb/hr | Allowable gm/hp-hr | Allowable lb/hr |
| | | | | | | | | |

| O ₂ | | CO | | | | | |
|---------------------------------|-------------------------------|-----------------------|--------------------------------|--------------------|-----------------|-----------------------|--------------------|
| Avg. Tested O ₂ % | O _{2 corrected} % | Avg. Tested CO ppm | CO _{corrected} ppm | Tested gm/hp-hr | Tested lb/hr | Allowable gm/hp-hr | Allowable lb/hr |
| | | | | | | | |

I certify to the best of my knowledge the test results are accurate and representative of the emissions from this source.

Print Name

Signature

Form D-2 Combustion Turbine Test Results

Company: _____ Facility: _____
 Source Tested: _____ Date: _____
 Source Manufacturer/Model #: _____
 Site-rated Horsepower: _____ Source Serial #: _____
 Type of Emission Control: _____
 Analyst: _____ Analyzer Serial #: _____
 Analyzer Manufacturer/Model #: _____

Operating Conditions

Source operating at 90 percent or greater site-rated horsepower during testing? yes no

| Suction/ Discharge Pressures (Indicate Units) | Turbine T ₅ Temperature (°F) | Turbine RPM | Turbine Gas Throughput (Indicate Units) | Turbine Fuel Consumption (Indicate Units) | Fuel Heat Content (Btu/cf) | Turbine Specific Fuel Consumption (Btu/hp-hr) ¹ | Turbine Tested Horsepower |
|---|---|----------------|--|--|----------------------------------|---|---------------------------------|
| | | | | | | | |

¹ As reported by the Manufacturer

Test Results

Test Start Time: _____ NO Cell Temperature (°F) after 1/3 (e.g., 7 minutes) of the test: _____

Test End Time: _____ NO Cell Temperature (°F) after 2/3 (e.g., 14 minutes) of the test: _____

| NO _x (NO + NO ₂) | | | | | | | | | | |
|---|--------------------------------|---------------------------------------|----------------------------------|----------------------------------|--------------------|-----------------|---------------------------------------|-----------------------|--------------------|---------------------------------------|
| Avg. Tested NO ppm | NO _{corrected} ppm | Avg. Tested NO ₂ ppm | NO _{2 corrected} ppm | NO _{x corrected} ppm | Tested gm/hp-hr | Tested lb/hr | Tested ppm @ 15% O ₂ | Allowable gm/hp-hr | Allowable lb/hr | Allowable ppm @ 15% O ₂ |
| | | | | | | | | | | |

| O ₂ | | CO | | | | | | | |
|------------------------------------|-------------------------------|--------------------------|--------------------------------|--------------------|-----------------|------------------------------------|-----------------------|--------------------|---------------------------------------|
| Avg. Tested O ₂ % | O _{2 corrected} % | Avg. Tested CO ppm | CO _{corrected} ppm | Tested gm/hp-hr | Tested lb/hr | Tested ppm @ 15% O ₂ | Allowable gm/hp-hr | Allowable lb/hr | Allowable ppm @ 15% O ₂ |
| | | | | | | | | | |

I certify to the best of my knowledge the test results are accurate and representative of the emissions from this source.

Print Name

Signature

Form D-3 Heater/Boiler Test Results

Company: _____ Facility: _____
 Source Tested: _____ Date: _____
 Source Manufacturer/Model #: _____
 Design Firing Rate (MMBtu/hr): _____ Source Serial #: _____
 Type of Emission Control: _____
 Analyst: _____ Analyzer Serial #: _____
 Analyzer Manufacturer/Model #: _____

Operating Conditions

Source operating at 90 percent or greater site-rated horsepower during testing? yes no

| Fuel Consumption (cf/hr) | Fuel Heat Content (Btu/cf) | Heater/Boiler Tested Firing Rate (MMBtu/hr) |
|-----------------------------|-------------------------------|--|
| | | |

Test Results

Test Start Time: _____ NO Cell Temperature (°F) after 1/3 (e.g., 7 minutes) of the test: _____

Test End Time: _____ NO Cell Temperature (°F) after 2/3 (e.g., 14 minutes) of the test: _____

| NO _x (NO + NO ₂) | | | | | | | | |
|---|--------------------------------|------------------------------------|----------------------------------|----------------------------------|--------------------|-----------------|-----------------------|--------------------|
| Avg. Tested NO ppm | NO _{corrected} ppm | Avg. Tested NO ₂ ppm | NO _{2 corrected} ppm | NO _{x corrected} ppm | Tested lb/MMBtu | Tested lb/hr | Allowable lb/MMBtu | Allowable lb/hr |
| | | | | | | | | |

| O ₂ | | CO | | | | | |
|---------------------------------|-------------------------------|-----------------------|--------------------------------|--------------------|-----------------|-----------------------|--------------------|
| Avg. Tested O ₂ % | O _{2 corrected} % | Avg. Tested CO ppm | CO _{corrected} ppm | Tested lb/MMBtu | Tested lb/hr | Allowable lb/MMBtu | Allowable lb/hr |
| | | | | | | | |

I certify to the best of my knowledge the test results are accurate and representative of the emissions from this source.

_____ **Print Name**

_____ **Signature**

APPENDIX B

40 CFR 60 SUBPART J



Subpart J-Standards of Performance for Petroleum Refineries

§ 60.100 Applicability, designation of affected facility, and reconstruction.

(a) The provisions of this subpart are applicable to the following affected facilities in petroleum refineries: fluid catalytic cracking unit catalyst regenerators, fuel gas combustion devices, and all Claus sulfur recovery plants except Claus plants of 20 long tons per day (LTD) or less. The Claus sulfur recovery plant need not be physically located within the boundaries of a petroleum refinery to be an affected facility, provided it processes gases produced within a petroleum refinery.

(b) Any fluid catalytic cracking unit catalyst regenerator or fuel gas combustion device under paragraph (a) of this section which commences construction or modification after June 11, 1973, or any Claus sulfur recovery plant under paragraph (a) of this section which commences construction or modification after October 4, 1976, is subject to the requirements of this subpart except as provided under paragraphs (c) and (d) of this section.

(c) Any fluid catalytic cracking unit catalyst regenerator under paragraph (b) of this section which commences construction or modification on or before January 17, 1984, is exempted from §60.104(b).

(d) Any fluid catalytic cracking unit in which a contact material reacts with petroleum derivatives to improve feedstock quality and in which the contact material is regenerated by burning off coke and/or other deposits and that commences construction or modification on or before January 17, 1984, is exempt from this subpart.

(e) For purposes of this subpart, under §60.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following January 17, 1984. For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

[43 FR 10868, Mar. 15, 1978, as amended at 44 FR 61543, Oct. 25, 1979; 54 FR 34026, Aug. 17, 1989]

§ 60.101 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A.

(a) *Petroleum refinery* means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through

distillation of petroleum or through redistillation, cracking or reforming of unfinished petroleum derivatives.

(b) *Petroleum* means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

(c) *Process gas* means any gas generated by a petroleum refinery process unit, except fuel gas and process upset gas as defined in this section.

(d) *Fuel gas* means any gas which is generated at a petroleum refinery and which is combusted. Fuel gas also includes natural gas when the natural gas is combined and combusted in any proportion with a gas generated at a refinery. Fuel gas does not include gases generated by catalytic cracking unit catalyst regenerators and fluid coking burners.

(e) *Process upset gas* means any gas generated by a petroleum refinery process unit as a result of start-up, shut-down, upset or malfunction.

(f) *Refinery process unit* means any segment of the petroleum refinery in which a specific processing operation is conducted.

(g) *Fuel gas combustion device* means any equipment, such as process heaters, boilers and flares used to combust fuel gas, except facilities in which gases are combusted to produce sulfur or sulfuric acid.

(h) *Coke burn-off* means the coke removed from the surface of the fluid catalytic cracking unit catalyst by combustion in the catalyst regenerator. The rate of coke burn-off is calculated by the formula specified in §60.106.

(i) *Claus sulfur recovery plant* means a process unit which recovers sulfur from hydrogen sulfide by a vapor-phase catalytic reaction of sulfur dioxide and hydrogen sulfide.

(j) *Oxidation control system* means an emission control system which reduces emissions from sulfur recovery plants by converting these emissions to sulfur dioxide.

(k) *Reduction control system* means an emission control system which reduces emissions from sulfur recovery plants by converting these emissions to hydrogen sulfide.

(l) *Reduced sulfur compounds* means hydrogen sulfide (H₂S), carbonyl sulfide (COS) and carbon disulfide (CS₂).

(m) *Fluid catalytic cracking unit* means a refinery process unit in which petroleum derivatives are continuously charged; hydrocarbon molecules in the presence of a catalyst suspended in a fluidized bed are fractured into smaller molecules, or react with a contact material suspended in a fluidized bed to improve feedstock quality for additional processing; and the catalyst or contact material is continuously regenerated by burning off coke and other deposits. The

unit includes the riser, reactor, regenerator, air blowers, spent catalyst or contact material stripper, catalyst or contact material recovery equipment, and regenerator equipment for controlling air pollutant emissions and for heat recovery.

(n) *Fluid catalytic cracking unit catalyst regenerator* means one or more regenerators (multiple regenerators) which comprise that portion of the fluid catalytic cracking unit in which coke burn-off and catalyst or contact material regeneration occurs, and includes the regenerator combustion air blower(s).

(o) *Fresh feed* means any petroleum derivative feedstock stream charged directly into the riser or reactor of a fluid catalytic cracking unit except for petroleum derivatives recycled within the fluid catalytic cracking unit, fractionator, or gas recovery unit.

(p) *Contact material* means any substance formulated to remove metals, sulfur, nitrogen, or any other contaminant from petroleum derivatives.

(q) *Valid day* means a 24-hour period in which at least 18 valid hours of data are obtained. A "valid hour" is one in which at least 2 valid data points are obtained.

[39 FR 9315, Mar. 8, 1974, as amended at 43 FR 10868, Mar. 15, 1978; 44 FR 13481, Mar. 12, 1979; 45 FR 79453, Dec. 1, 1980; 54 FR 34027, Aug. 17, 1989]

§ 60.102 Standard for particulate matter.

Each owner or operator of any fluid catalytic cracking unit catalyst regenerator that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test, required by § 60.8, is completed, but not later than 60 days after achieving the maximum production rate at which the fluid catalytic cracking unit catalyst regenerator will be operated, or 180 days after initial startup, whichever comes first.

(a) No owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any fluid catalytic cracking unit catalyst regenerator:

(1) Particulate matter in excess of 1.0 kg/Mg (2.0 lb/ton) of coke burn-off in the catalyst regenerator.

(2) Gases exhibiting greater than 30 percent opacity, except for one six-minute average opacity reading in any one hour period.

(b) Where the gases discharged by the fluid catalytic cracking unit catalyst regenerator pass through an incinerator or waste heat boiler in which auxiliary or supplemental liquid or solid fossil fuel is burned, particulate matter in excess of that permitted by paragraph (a)(1) of this section may be emitted to the atmosphere, except that the incremental rate of particulate matter emissions shall not exceed 43.0 g/MJ (0.10

lb/million Btu) of heat input attributable to such liquid or solid fossil fuel.

[39 FR 9315, Mar. 8, 1974, as amended at 42 FR 32427, June 24, 1977; 42 FR 39389, Aug. 4, 1977; 43 FR 10868, Feb. 15, 1978; 54 FR 34027, Aug. 17, 1989; 65 FR 61753, Oct. 17, 2000]

§ 60.103 Standard for carbon monoxide.

Each owner or operator of any fluid catalytic cracking unit catalyst regenerator that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test, required by § 60.8, is completed, but not later than 60 days after achieving the maximum production rate at which the fluid catalytic cracking unit catalyst regenerator will be operated, or 180 days after initial startup, whichever comes first.

(a) No owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any fluid catalytic cracking unit catalyst regenerator any gases that contain carbon monoxide (CO) in excess of 500 ppm by volume (dry basis).

[54 FR 34027, Aug. 17, 1989, as amended at 55 FR 40175, Oct. 2, 1990]

§ 60.104 Standards for sulfur oxides.

Each owner or operator that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test, required by § 60.8, is completed, but not later than 60 days after achieving the maximum production rate at which the affected facility will be operated, or 180 days after initial startup, whichever comes first.

(a) No owner or operator subject to the provisions of this subpart shall:

(1) Burn in any fuel gas combustion device any fuel gas that contains hydrogen sulfide (H₂S) in excess of 230 mg/dscm (0.10 gr/dscf). The combustion in a flare of process upset gases or fuel gas that is released to the flare as a result of relief valve leakage or other emergency malfunctions is exempt from this paragraph.

(2) Discharge or cause the discharge of any gases into the atmosphere from any Claus sulfur recovery plant containing in excess of:

(i) For an oxidation control system or a reduction control system followed by incineration, 250 ppm by volume (dry basis) of sulfur dioxide (SO₂) at zero percent excess air.

(ii) For a reduction control system not followed by incineration, 300 ppm by volume of reduced sulfur compounds and 10 ppm by volume of hydrogen sulfide (H₂S), each calculated as ppm SO₂ by volume (dry basis) at zero percent excess air.

(b) Each owner or operator that is subject to the provisions of this subpart shall comply

with one of the following conditions for each affected fluid catalytic cracking unit catalyst regenerator:

(1) With an add-on control device, reduce sulfur dioxide emissions to the atmosphere by 90 percent or maintain sulfur dioxide emissions to the atmosphere less than or equal to 50 ppm by volume (vppm), whichever is less stringent; or

(2) Without the use of an add-on control device, maintain sulfur oxides emissions calculated as sulfur dioxide to the atmosphere less than or equal to 9.8 kg/Mg (20 lb/ton) coke burn-off; or

(3) Process in the fluid catalytic cracking unit fresh feed that has a total sulfur content no greater than 0.30 percent by weight.

(c) Compliance with paragraph (b)(1), (b)(2), or (b)(3) of this section is determined daily on a 7-day rolling average basis using the appropriate procedures outlined in § 60.106.

(d) A minimum of 22 valid days of data shall be obtained every 30 rolling successive calendar days when complying with paragraph (b)(1) of this section.

[43 FR 10869, Mar. 15, 1978, as amended at 54 FR 34027, Aug. 17, 1989; 55 FR 40175, Oct. 2, 1990; 65 FR 61754, Oct. 17, 2000]

§ 60.105 Monitoring of emissions and operations.

(a) Continuous monitoring systems shall be installed, calibrated, maintained, and operated by the owner or operator subject to the provisions of this subpart as follows:

(1) For fluid catalytic cracking unit catalyst regenerators subject to § 60.102(a)(2), an instrument for continuously monitoring and recording the opacity of emissions into the atmosphere. The instrument shall be spanned at 60, 70, or 80 percent opacity.

(2) For fluid catalytic cracking unit catalyst regenerators subject to § 60.103(a), an instrument for continuously monitoring and recording the concentration by volume (dry basis) of CO emissions into the atmosphere, except as provided in paragraph (a)(2) (ii) of this section.

(i) The span value for this instrument is 1,000 ppm CO.

(ii) A CO continuous monitoring system need not be installed if the owner or operator demonstrates that the average CO emissions are less than 50 ppm (dry basis) and also files a written request for exemption to the Administrator and receives such an exemption. The demonstration shall consist of continuously monitoring CO emissions for 30 days using an instrument that shall meet the requirements of Performance Specification 4 of Appendix B of this part.

The span value shall be 100 ppm CO instead of 1,000 ppm, and the relative accuracy limit shall be 10 percent of the average CO emissions or 5 ppm CO, whichever is greater.

For instruments that are identical to Method 10 and employ the sample conditioning

system of Method 10A, the alternative relative accuracy test procedure in § 10.1 of Performance Specification 2 may be used in place of the relative accuracy test.

(3) For fuel gas combustion devices subject to § 60.104(a)(1), an instrument for continuously monitoring and recording the concentration by volume (dry basis, zero percent excess air) of SO₂ emissions into the atmosphere (except where an H₂S monitor is installed under paragraph (a)(4) of this section). The monitor shall include an oxygen monitor for correcting the data for excess air.

(i) The span values for this monitor are 50 ppm SO₂ and 25 percent oxygen (O₂).

(ii) The SO₂ monitoring level equivalent to the H₂S standard under § 60.104(a)(1) shall be 20 ppm (dry basis, zero percent excess air).

(iii) The performance evaluations for this SO₂ monitor under § 60.13(c) shall use Performance Specification 2. Methods 6 or 6C and 3 or 3A shall be used for conducting the relative accuracy evaluations. Method 6 samples shall be taken at a flow rate of approximately 2 liters/min for at least 30 minutes. The relative accuracy limit shall be 20 percent or 4 ppm, whichever is greater, and the calibration drift limit shall be 5 percent of the established span value.

(iv) Fuel gas combustion devices having a common source of fuel gas may be monitored at only one location (i.e., after one of the combustion devices), if monitoring at this location accurately represents the SO₂ emissions into the atmosphere from each of the combustion devices.

(4) In place of the SO₂ monitor in paragraph (a)(3) of this section, an instrument for continuously monitoring and recording the concentration (dry basis) of H₂S in fuel gases before being burned in any fuel gas combustion device.

(i) The span value for this instrument is 425 mg/dscm H₂S.

(ii) Fuel gas combustion devices having a common source of fuel gas may be monitored at only one location, if monitoring at this location accurately represents the concentration of H₂S in the fuel gas being burned.

(iii) The performance evaluations for this H₂S monitor under § 60.13(c) shall use Performance Specification 7. Method 11, 15, 15A, or 16 shall be used for conducting the relative accuracy evaluations.

(5) For Claus sulfur recovery plants with oxidation control systems or reduction control systems followed by incineration subject to § 60.104(a)(2)(i), an instrument for continuously monitoring and recording the concentration (dry basis, zero percent excess air) of SO₂ emissions into the atmosphere. The monitor shall include an oxygen monitor for correcting the data for excess air.

(i) The span values for this monitor are 500 ppm SO₂ and 25 percent O₂.

(ii) The performance evaluations for this SO₂ monitor under § 60.13(c) shall use Performance Specification 2. Methods 6 or 6C and 3 or 3A shall be used for conducting the relative accuracy evaluations.

(6) For Claus sulfur recovery plants with reduction control systems not followed by incineration subject to § 60.104(a)(2)(ii), an instrument for continuously monitoring and recording the concentration of reduced sulfur and O₂ emissions into the atmosphere. The reduced sulfur emissions shall be calculated as SO₂ (dry basis, zero percent excess air).

(i) The span values for this monitor are 450 ppm reduced sulfur and 25 percent O₂.

(ii) The performance evaluations for this reduced sulfur (and O₂) monitor under § 60.13(c) shall use Performance Specification 5 of Appendix B of this Part (and Performance Specification 3 of Appendix B of this Part for the O₂ analyzer). Methods 15 or 15A and Method 3 shall be used for conducting the relative accuracy evaluations. If Method 3 yields O₂ concentrations below 0.25 percent during the performance specification test, the O₂ concentration may be assumed to be zero and the reduced sulfur CEMS need not include an O₂ monitor.

(7) In place of the reduced sulfur monitor under paragraph (a)(6) of this section, an instrument using an air or O₂ dilution and oxidation system to convert the reduced sulfur to SO₂ for continuously monitoring and recording the concentration (dry basis, zero percent excess air) of the resultant SO₂. The monitor shall include an oxygen monitor for correcting the data for excess oxygen.

(i) The span values for this monitor are 375 ppm SO₂ and 25 percent O₂.

(ii) For reporting purposes, the SO₂ exceedance level for this monitor is 250 ppm (dry basis, zero percent excess air).

(iii) The performance evaluations for this SO₂ (and O₂) monitor under § 60.13(c) shall use Performance Specification 5. Methods 15 or 15A and Method 3 shall be used for conducting the relative accuracy evaluations.

(8) An instrument for continuously monitoring and recording concentrations of SO₂ in the gases at both the inlet and outlet of the SO₂ control device from any fluid catalytic cracking unit catalyst regenerator for which the owner or operator seeks to comply with § 60.104 (b)(1).

(i) The span value of the inlet monitor shall be set 125 percent of the maximum estimated hourly potential SO₂ emission concentration entering the control device, and the span value of the outlet monitor shall be set at 50 percent of the maximum estimated hourly potential sulfur dioxide emission concentration entering the control device.

(ii) The performance evaluations for these SO₂ monitors under § 60.13(c) shall use Performance Specification 2. Methods 6 or 6C and 3 or 3A shall be used for conducting the relative accuracy evaluations.

(9) An instrument for continuously monitoring and recording concentrations of SO₂ in the gases discharged into the atmosphere from any fluid catalytic cracking unit catalyst regenerator for which the owner or operator seeks to comply specifically with the 50 ppmv emission limit under § 60.104 (b)(1).

(i) The span value of the monitor shall be set at 50 percent of the maximum hourly potential SO₂ emission concentration of the control device.

(ii) The performance evaluations for this SO₂ monitor under § 60.13 (c) shall use Performance Specification 2. Methods 6 or 6C and 3 or 3A shall be used for conducting the relative accuracy evaluations.

(10) An instrument for continuously monitoring and recording concentrations of oxygen (O₂) in the gases at both the inlet and outlet of the sulfur dioxide control device (or the outlet only if specifically complying with the 50 ppmv standard) from any fluid catalytic cracking unit catalyst regenerator for which the owner or operator has elected to comply with § 60.104(b)(1). The span of this continuous monitoring system shall be set at 10 percent.

(11) The continuous monitoring systems under paragraphs (a)(8), (a)(9), and (a)(10) of this section are operated and data recorded during all periods of operation of the affected facility including periods of startup, shutdown, or malfunction, except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments.

(12) The owner or operator shall use the following procedures to evaluate the continuous monitoring systems under paragraphs (a)(8), (a)(9), and (a)(10) of this section.

(i) Method 3 or 3A and Method 6 or 6C for the relative accuracy evaluations under the § 60.13(e) performance evaluation.

(ii) Appendix F, Procedure 1, including quarterly accuracy determinations and daily calibration drift tests.

(13) When seeking to comply with § 60.104(b)(1), when emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using one of the following methods to provide emission data for a minimum of 18 hours per day in at least 22 out of 30 rolling successive calendar days.

(i) The test methods as described in § 60.106(k);

(ii) A spare continuous monitoring system; or

(iii) Other monitoring systems as approved by the Administrator.

(b) [Reserved]

(c) The average coke burn-off rate (Mg (tons) per hour) and hours of operation shall be recorded daily for any fluid catalytic cracking

unit catalyst regenerator subject to § 60.102, § 60.103, or § 60.104(b)(2).

(d) For any fluid catalytic cracking unit catalyst regenerator under § 60.102 that uses an incinerator-waste heat boiler to combust the exhaust gases from the catalyst regenerator, the owner or operator shall record daily the rate of combustion of liquid or solid fossil-fuels and the hours of operation during which liquid or solid fossil-fuels are combusted in the incinerator-waste heat boiler.

(e) For the purpose of reports under § 60.7(c), periods of excess emissions that shall be determined and reported are defined as follows:

Note: All averages, except for opacity, shall be determined as the arithmetic average of the applicable 1-hour averages, e.g., the rolling 3-hour average shall be determined as the arithmetic average of three contiguous 1-hour averages.

(1) *Opacity*. All 1-hour periods that contain two or more 6-minute periods during which the average opacity as measured by the continuous monitoring system under § 60.105(a)(1) exceeds 30 percent.

(2) *Carbon monoxide*. All 1-hour periods during which the average CO concentration as measured by the CO continuous monitoring system under § 60.105(a)(2) exceeds 500 ppm.

(3) *Sulfur dioxide from fuel gas combustion*.

(i) All rolling 3-hour periods during which the average concentration of SO₂ as measured by the SO₂ continuous monitoring system under § 60.105(a)(3) exceeds 20 ppm (dry basis, zero percent excess air); or

(ii) All rolling 3-hour periods during which the average concentration of H₂S as measured by the H₂S continuous monitoring system under § 60.105(a)(4) exceeds 230 mg/dscm (0.10 gr/dscf).

(4) *Sulfur dioxide from Claus sulfur recovery plants*. (i) All 12-hour periods during which the average concentration of SO₂ as measured by the SO₂ continuous monitoring system under § 60.105(a)(5) exceeds 250 ppm (dry basis, zero percent excess air); or

(ii) All 12-hour periods during which the average concentration of reduced sulfur (as SO₂) as measured by the reduced sulfur continuous monitoring system under § 60.105(a)(6) exceeds 300 ppm; or

(iii) All 12-hour periods during which the average concentration of SO₂ as measured by the SO₂ continuous monitoring system under § 60.105(a)(7) exceeds 250 ppm (dry basis, zero percent excess air).

[39 FR 9315, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975; 42 FR 32427, June 24, 1977; 42 FR 39389, Aug. 4, 1977; 43 FR 10869, Mar. 15, 1978; 48 FR 23611, May 25, 1983; 50 FR 31701, Aug. 5, 1985; 54 FR 34028, Aug. 17, 1989; 55 FR 40175, Oct. 2, 1990; 65 FR 61754, Oct. 17, 2000]

§ 60.106 Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in § 60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter (PM) standards in § 60.102(a) as follows:

(1) The emission rate (E) of PM shall be computed for each run using the following equation:

$$E = \frac{c_s Q_{sd}}{K R_c}$$

Where:

E = Emission rate of PM, kg/Mg (lb/ton) of coke burn-off.

c_s = Concentration of PM, g/dscm (gr/dscf).

Q_{sd} = Volumetric flow rate of effluent gas, dscm/hr (dscf/hr).

R_c = Coke burn-off rate, Mg/hr (ton/hr) coke.

K = Conversion factor, 1,000 g/kg (7,000 gr/lb).

(2) Method 5B or 5F is to be used to

$$R_c = K_1 Q_r (\% CO_2 + \% CO) - (K_2 Q_a - K_3 Q_r) \left[\left(\frac{\% CO}{2} \right) + (\% CO_2 + \% O_{sub2}) \right]$$

Where:

R_c = Coke burn-off rate, Mg/hr (ton/hr).

Q_r = Volumetric flow rate of exhaust gas from catalyst regenerator before entering the emission control system, dscm/min (dscf/min).

Q_a = Volumetric flow rate of air to FCCU regenerator, as determined from the fluid catalytic cracking unit control room instrumentation, dscm/min (dscf/min).

%CO₂ = Carbon dioxide concentration, percent by volume (dry basis).

%CO = Carbon monoxide concentration, percent by volume (dry basis).

%O₂ = Oxygen concentration, percent by volume (dry basis).

K₁ = Material balance and conversion factor, 2.982 x 10⁻⁴ (Mg-min)/(hr-dscm-%) [9.31 x 10⁻⁶ (ton-min)/(hr-dscf-%)].

K₂ = Material balance and conversion factor, 2.088 x 10⁻³ (Mg-min)/(hr-dscm-%) [6.52 x 10⁻⁵ (ton-min)/(hr-dscf-%)].

K₃ = Material balance and conversion factor, 9.94 x 10⁻⁵ (Mg-min)/(hr-dscm-%) [3.1 x 10⁻⁶ (ton-min)/(hr-dscf-%)].

(i) Method 2 shall be used to determine the volumetric flow rate (Q_r).

(ii) The emission correction factor, integrated sampling and analysis procedure of Method 3B shall be used to determine CO₂, CO, and O₂ concentrations.

(4) Method 9 and the procedures of § 60.11 shall be used to determine opacity.

(c) If auxiliary liquid or solid fossil-fuels are burned in an incinerator-waste heat boiler, the owner or operator shall determine the emission rate of PM permitted in § 60.102(b) as follows:

(1) The allowable emission rate (E_s) of PM shall be computed for each run using the following equation:

$$E_s = F + A \left(\frac{H}{R_c} \right)$$

Where:

E_s = Emission rate of PM allowed, kg/Mg (lb/ton) of coke burn-off in catalyst regenerator.

F = Emission standard, 1.0 kg/Mg (2.0 lb/ton) of coke burn-off in catalyst regenerator.

A = Allowable incremental rate of PM emissions, 7.5 x 10⁻⁴ kg/million J (0.10 lb/million Btu).

H = Heat input rate from solid or liquid fossil fuel, million J/hr (million Btu/hr).

R_c = Coke burn-off rate, Mg coke/hr (ton coke/hr).

(2) Procedures subject to the approval of the Administrator shall be used to determine the heat input rate.

(3) The procedure in paragraph (b)(3) of this section shall be used to determine the coke burn-off rate (R_c).

(d) The owner or operator shall determine compliance with the CO standard in § 60.103(a) by using the integrated sampling technique of Method 10 to determine the CO concentration (dry basis). The sampling time for each run shall be 60 minutes.

(e)(1) The owner or operator shall determine compliance with the H₂S standard in § 60.104(a)(1) as follows: Method 11, 15, 15A, or 16 shall be used to determine the H₂S concentration. The gases entering the sampling train should be at about atmospheric pressure. If the pressure in the refinery fuel gas lines is relatively high, a flow control valve may be used to reduce the pressure. If the line pressure is high enough to operate the sampling train without a vacuum pump, the pump may be eliminated from the sampling train. The sample shall be drawn from a point near the centroid of the fuel gas line.

(i) For Method 11, the sampling time and sample volume shall be at least 10 minutes

determine particulate matter emissions and associated moisture content from affected facilities without wet FGD systems; only Method 5B is to be used after wet FGD systems. The sampling time for each run shall be at least 60 minutes and the sampling rate shall be at least 0.015 dscm/min (0.53 dscf/min), except that shorter sampling times may be approved by the Administrator when process variables or other factors preclude sampling for at least 60 minutes.

(3) The coke burn-off rate (R_c) shall be computed for each run using the following equation:

and 0.010 dscm (0.35 dscf). Two samples of equal sampling times shall be taken at about 1-hour intervals. The arithmetic average of these two samples shall constitute a run. For most fuel gases, sampling times exceeding 20 minutes may result in depletion of the collection solution, although fuel gases containing low concentrations of H₂S may necessitate sampling for longer periods of time.

(ii) For Method 15 or 16, at least three injects over a 1-hour period shall constitute a run.

(iii) For Method 15A, a 1-hour sample shall constitute a run.

(2) Where emissions are monitored by § 60.105(a)(3), compliance with § 60.105(a)(1) shall be determined using Method 6 or 6C and Method 3 or 3A. A 1-hour sample shall constitute a run. Method 6 samples shall be taken at a rate of approximately 2 liters/min. The ppm correction factor (Method 6) and the sampling location in paragraph (f)(1) of this section apply. Method 4 shall be used to determine the moisture content of the gases. The sampling point for Method 4 shall be adjacent to the sampling point for Method 6 or 6C.

(f) The owner or operator shall determine compliance with the SO₂ and the H₂S and reduced sulfur standards in § 60.104(a)(2) as follows:

(1) Method 6 shall be used to determine the SO₂ concentration. The concentration in mg/dscm obtained by Method 6 or 6C is multiplied by 0.3754 to obtain the concentration in ppm. The sampling point in the duct shall be the centroid of the cross section if the cross-sectional area is less than 5.00 m² (53.8 ft²) or at a point no closer to the walls than 1.00 m (39.4 in.) if the cross-sectional area is 5.00 m² or more and the centroid is more than 1 m from the wall. The sampling time and sample volume shall be at least 10 minutes and 0.010 dscm (0.35 dscf) for each sample. Eight samples of equal sampling times shall be taken at about 30-

minute intervals. The arithmetic average of these eight samples shall constitute a run. For Method 6C, a run shall consist of the arithmetic average of four 1-hour samples. Method 4 shall be used to determine the moisture content of the gases. The sampling point for Method 4 shall be adjacent to the sampling point for Method 6 or 6C. The sampling time for each sample shall be equal to the time it takes for two Method 6 samples.

The moisture content from this sample shall be used to correct the corresponding Method 6 samples for moisture. For documenting the oxidation efficiency of the control device for reduced sulfur compounds, Method 15 shall be used following the procedures of paragraph (f)(2) of this section.

(2) Method 15 shall be used to determine the reduced sulfur and H₂S concentrations. Each run shall consist of 16 samples taken over a minimum of 3 hours. The sampling point shall be the same as that described for Method 6 in paragraph (f)(1) of this section. To ensure minimum residence time for the sample inside the sample lines, the sampling rate shall be at least 3.0 lpm (0.10 cfm). The SO₂ equivalent for each run shall be calculated after being corrected for moisture and oxygen as the arithmetic average of the SO₂ equivalent for each sample during the run. Method 4 shall be used to determine the moisture content of the gases as the paragraph (f)(1) of this section. The sampling time for each sample shall be equal to the time it takes for four Method 15 samples.

(3) The oxygen concentration used to correct the emission rate for excess air shall be obtained by the integrated sampling and analysis procedure of Method 3 or 3A. The samples shall be taken simultaneously with the SO₂, reduced sulfur and H₂S, or moisture samples. The SO₂, reduced sulfur, and H₂S samples shall be corrected to zero percent excess air using the equation in paragraph (h)(6) of this section.

(g) Each performance test conducted for the purpose of determining compliance under § 60.104(b) shall consist of all testing performed over a 7-day period using Method 6 or 6C and Method 3 or 3A. To determine compliance, the arithmetic mean of the results of all the tests shall be compared with the applicable standard.

(h) For the purpose of determining compliance with § 60.104(b)(1), the following calculation procedures shall be used:

(1) Calculate each 1-hour average concentration (dry, zero percent oxygen, ppmv) of sulfur dioxide at both the inlet and the outlet to the add-on control device as specified in § 60.13(h). These calculations are made using the emission data collected under § 60.105(a).

(2) Calculate a 7-day average (arithmetic mean) concentration of sulfur dioxide for the inlet and for the outlet to the add-on control device using all of the 1-hour average

concentration values obtained during seven successive 24-hour periods.

(3) Calculate the 7-day average percent reduction using the following equation:

$$R_{SO_2} = 100 \frac{C_{SO_2(i)} - C_{SO_2(o)}}{C_{SO_2(i)}}$$

where:

R_{SO₂} = 7-day average sulfur dioxide emission reduction, percent

C_{SO₂(i)} = sulfur dioxide emission concentration determined in § 60.106(h)(2) at the inlet to the add-on control device, ppmv

C_{SO₂(o)} = sulfur dioxide emission concentration determined in § 60.106(h)(2) at the outlet to the add-on control device, ppmv

100 = conversion factor, decimal to percent

(4) Outlet concentrations of sulfur dioxide from the add-on control device for compliance with the 50 ppmv standard, reported on a dry, O₂-free basis, shall be calculated using the procedures outlined in § 60.106(h)(1) and (2) above, but for the outlet monitor only.

(5) If supplemental sampling data are used for determining the 7-day averages under paragraph (h) of this section and such data are not hourly averages, then the value obtained for each supplemental sample shall be assumed to represent the hourly average for each hour over which the sample was obtained.

(6) For the purpose of adjusting pollutant concentrations to zero percent oxygen, the following equation shall be used:

$$C_{adj} = C_{meas} \frac{20.9c}{20.9 - \%O_2}$$

where:

C_{adj} = pollutant concentration adjusted to zero percent oxygen, ppm or g/dscm

C_{meas} = pollutant concentration measured on a dry basis, ppm or g/dscm

20.9c = 20.9 percent oxygen-0.0 percent oxygen (defined oxygen correction basis), percent

20.9 = oxygen concentration in air, percent

%O₂ = oxygen concentration measured on a dry basis, percent

(i) For the purpose of determining compliance with § 60.104(b)(2), the following reference methods and calculation procedures shall be used except as provided in paragraph (i)(12) of this section:

(1) One 3-hour test shall be performed each day.

(2) For gases released to the atmosphere from the fluid catalytic cracking unit catalyst regenerator:

(i) Method 8 as modified in § 60.106(i)(3) for moisture content and for the concentration of sulfur oxides calculated as sulfur dioxide,

(ii) Method 1 for sample and velocity traverses,

(iii) Method 2 calculation procedures (data obtained from Methods 3 and 8) for velocity and volumetric flow rate, and

(iv) Method 3 for gas analysis.

(3) Method 8 shall be modified by the insertion of a heated glass fiber filter between the probe and first impinger. The probe liner and glass fiber filter temperature shall be maintained above 160 °C (320 °F). The isopropanol impinger shall be eliminated. Sample recovery procedures described in Method 8 for container No. 1 shall be eliminated. The heated glass fiber filter also shall be excluded; however, rinsing of all connecting glassware after the heated glass fiber filter shall be retained and included in container No. 2. Sampled volume shall be at least 1 dscm.

(4) For Method 3, the integrated sampling technique shall be used.

(5) Sampling time for each run shall be at least 3 hours.

(6) All testing shall be performed at the same location. Where the gases discharged by the fluid catalytic cracking unit catalyst regenerator pass through an incinerator-waste heat boiler in which auxiliary or supplemental gaseous, liquid, or solid fossil fuel is burned, testing shall be conducted at a point between the regenerator outlet and the incinerator-waste heat boiler. An alternative sampling location after the waste heat boiler may be used if alternative coke burn-off rate equations, and, if requested, auxiliary/supplemental fuel SO_x credits, have been submitted to and approved by the Administrator prior to sampling.

(7) Coke burn-off rate shall be determined using the procedures specified under paragraph (b)(3) of this section, unless paragraph (i)(6) of this section applies.

(8) Calculate the concentration of sulfur oxides as sulfur dioxide using equation 8-3 in Section 6.5 of Method 8 to calculate and report the total concentration of sulfur oxides as sulfur dioxide (C_{SO_x}).

(9) Sulfur oxides emission rate calculated as sulfur dioxide shall be determined for each test run by the following equation:

$$E_{SO_x} = \frac{C_{SO_x} Q_{sd}}{K}$$

Where:

E_{SO_x} = sulfur oxides emission rate calculated as sulfur dioxide, kg/hr (lb/hr)

C_{SO_x} = sulfur oxides emission concentration calculated as sulfur dioxide, g/dscm (gr/dscf)

Q_{sd} = dry volumetric stack gas flow rate corrected to standard conditions, dscm/hr (dscf/hr)

K=1,000 g/kg (7,000 gr/lb)

(10) Sulfur oxides emissions calculated as sulfur dioxide shall be determined for each test run by the following equation:

$$R_{SO_x} = \frac{E_{SO_x}}{R_c}$$

Where:

R_{SO_x} = Sulfur oxides emissions calculated as kg sulfur dioxide per Mg (lb/ton) coke burn-off.

E_{SO_x} = Sulfur oxides emission rate calculated as sulfur dioxide, kg/hr (lb/hr).

R_c = Coke burn-off rate, Mg/hr (ton/hr).

(11) Calculate the 7-day average sulfur oxides emission rate as sulfur dioxide per Mg (ton) of coke burn-off by dividing the sum of the individual daily rates by the number of daily rates summed.

(12) An owner or operator may, upon approval by the Administrator, use an alternative method for determining compliance with § 60.104(b)(2), as provided in § 60.8(b). Any requests for approval must include data to demonstrate to the Administrator that the alternative method would produce results adequate for the determination of compliance.

(j) For the purpose of determining compliance with § 60.104(b)(3), the following analytical methods and calculation procedures shall be used:

(1) One fresh feed sample shall be collected once per 8-hour period.

(2) Fresh feed samples shall be analyzed separately by using any one of the following applicable analytical test methods: ASTM D129-64, 78, or 95, ASTM D1552-83 or 95, ASTM D2622-87, 94, or 98, or ASTM D1266-87, 91, or 98. (These methods are incorporated by reference: see § 60.17.) The applicable range of some of these ASTM methods is not adequate to measure the levels of sulfur in some fresh feed samples. Dilution of samples prior to analysis with verification of the dilution ratio is acceptable upon prior approval of the Administrator.

(3) If a fresh feed sample cannot be collected at a single location, then the fresh feed sulfur content shall be determined as follows:

(i) Individual samples shall be collected once per 8-hour period for each separate fresh feed stream charged directly into the riser or reactor of the fluid catalytic cracking unit. For each sample location the fresh feed volumetric flow rate at the time of collecting the fresh feed sample shall be measured and recorded. The same method for measuring volumetric flow rate shall be used at all locations.

(ii) Each fresh feed sample shall be analyzed separately using the methods specified under paragraph (j)(2) of this section.

(iii) Fresh feed sulfur content shall be calculated for each 8-hour period using the following equation:

$$S_f = \sum_{i=1}^n \frac{S_i Q_i}{Q_f}$$

where:

S_f = fresh feed sulfur content expressed in percent by weight of fresh feed.

n = number of separate fresh feed streams charged directly to the riser or reactor of the fluid catalytic cracking unit.

Q_f = total volumetric flow rate of fresh feed charged to the fluid catalytic cracking unit.

S_i = fresh feed sulfur content expressed in percent by weight of fresh feed for the "ith" sampling location.

Q_i = volumetric flow rate of fresh feed stream for the "ith" sampling location.

(4) Calculate a 7-day average (arithmetic mean) sulfur content of the fresh feed using all of the fresh feed sulfur content values obtained during seven successive 24-hour periods.

(k) The test methods used to supplement continuous monitoring system data to meet the minimum data requirements in § 60.104(d) will be used as described below or as otherwise approved by the Administrator.

(1) Methods 6, 6B, or 8 are used. The sampling location(s) are the same as those specified for the monitor.

(2) For Method 6, the minimum sampling time is 20 minutes and the minimum sampling volume is 0.02 dscm (0.71 dscf) for each sample. Samples are taken at approximately 60-minute intervals. Each sample represents a 1-hour average. A minimum of 18 valid samples is required to obtain one valid day of data.

(3) For Method 6B, collection of a sample representing a minimum of 18 hours is required to obtain one valid day of data.

(4) For Method 8, the procedures as outlined in this section are used. The equivalent of 16 hours of sampling is required to obtain one valid day of data.

[39 FR 9315, Mar. 8, 1974, as amended at 43 FR 10869, Mar. 15, 1978; 51 FR 42842, Nov. 26, 1986; 52 FR 20392, June 1, 1987; 53 FR 41333, Oct. 21, 1988; 54 FR 34028, Aug. 17, 1989; 55 FR 40176, Oct. 2, 1990; 56 FR 4176, Feb. 4, 1991; 65 FR 61754, Oct. 17, 2000]

§ 60.107 Reporting and recordkeeping requirements.

(a) Each owner or operator subject to § 60.104(b) shall notify the Administrator of the specific provisions of § 60.104(b) with which the owner or operator seeks to comply. Notification shall be submitted with the notification of initial startup required by § 60.7(a)(3). If an owner or operator elects at a later date to comply with an alternative provision of § 60.104(b), then the Administrator shall be notified by the owner or operator in the report described in paragraph (c) of this section.

(b) Each owner or operator subject to § 60.104(b) shall record and maintain the following information:

(1) If subject to § 60.104(b)(1),

(i) All data and calibrations from continuous monitoring systems located at the inlet and outlet to the control device, including the results of the daily drift tests and quarterly accuracy assessments required under appendix F, Procedure 1;

(ii) Measurements obtained by supplemental sampling (refer to § 60.105(a)(13) and § 60.106(k)) for meeting minimum data requirements; and

(iii) The written procedures for the quality control program required by appendix F, Procedure 1.

(2) If subject to § 60.104(b)(2), measurements obtained in the daily Method 8 testing, or those obtained by alternative measurement methods, if § 60.106(i)(12) applies.

(3) If subject to § 60.104(b)(3), data obtained from the daily feed sulfur tests.

(4) Each 7-day rolling average compliance determination.

(c) Each owner or operator subject to § 60.104(b) shall submit a report except as provided by paragraph (d) of this section. The following information shall be contained in the report:

(1) Any 7-day period during which:

(i) The average percent reduction and average concentration of sulfur dioxide on a dry, O₂-free basis in the gases discharged to the atmosphere from any fluid catalytic cracking unit catalyst regenerator for which the owner or operator seeks to comply with § 60.104(b)(1) is below 90 percent and above 50 vppm, as measured by the continuous monitoring system prescribed under § 60.105(a)(8), or above 50 vppm, as measured by the outlet continuous monitoring system prescribed under § 60.105(a)(9). The average percent reduction and average sulfur dioxide concentration shall be determined using the procedures specified under § 60.106(h);

(ii) The average emission rate of sulfur dioxide in the gases discharged to the atmosphere from any fluid catalytic cracking unit catalyst regenerator for which the owner or operator seeks to comply with § 60.104(b)(2) exceeds 9.8 kg SO_x per 1,000 kg coke burn-off, as measured by the daily testing prescribed under § 60.106(j). The average emission rate shall be determined using the procedures specified under § 60.106(i); and

(iii) The average sulfur content of the fresh feed for which the owner or operator seeks to comply with § 60.104(b)(3) exceeds 0.30 percent by weight. The fresh feed sulfur content, a 7-day rolling average, shall be determined using the procedures specified under § 60.106(j).

(2) Any 30-day period in which the minimum data requirements specified in § 60.104(d) are not obtained.

(3) For each 7-day period during which an exceedance has occurred as defined in paragraphs (c)(1)(i) through (c)(1)(iii) and (c)(2) of this section:

(i) The date that the exceedance occurred;

(ii) An explanation of the exceedance;

(iii) Whether the exceedance was concurrent with a startup, shutdown, or malfunction of the fluid catalytic cracking unit or control system; and

(iv) A description of the corrective action taken, if any.

(4) If subject to § 60.104(b)(1),

(i) The dates for which and brief explanations as to why fewer than 18 valid hours of data were obtained for the inlet continuous monitoring system;

(ii) The dates for which and brief explanations as to why fewer than 18 valid hours of data were obtained for the outlet continuous monitoring system;

(iii) Identification of times when hourly averages have been obtained based on manual sampling methods;

(iv) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system; and

(v) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3.

(vi) Results of daily drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1.

(5) If subject to § 60.104(b)(2), for each day in which a Method 8 sample result required by § 60.106(i) was not obtained, the date for which and brief explanation as to why a Method 8 sample result was not obtained, for approval by the Administrator.

(6) If subject to § 60.104(b)(3), for each 8-hour period in which a feed sulfur measurement required by § 60.106(j) was not obtained, the date for which and brief explanation as to why a feed sulfur

measurement was not obtained, for approval by the Administrator.

(d) For any periods for which sulfur dioxide or oxides emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability which could affect the ability of the system to meet the applicable emission limit. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

(e) The owner or operator of an affected facility shall submit the reports required under this subpart to the Administrator semiannually for each six-month period. All semiannual reports shall be postmarked by the 30th day following the end of each six-month period.

(f) The owner or operator of the affected facility shall submit a signed statement certifying the accuracy and completeness of the information contained in the report.

[54 FR 34029, Aug. 17, 1989, as amended at 55 FR 40178, Oct. 2, 1990; 64 FR 7465, Feb. 12, 1999; 65 FR 61755, Oct. 17, 2000]

§ 60.108 Performance test and compliance provisions.

(a) Section 60.8(d) shall apply to the initial performance test specified under paragraph (c) of this section, but not to the daily performance tests required thereafter as specified in § 60.108(d). Section 60.8(f) does not apply when determining compliance with the standards specified under § 60.104(b). Performance tests conducted for the purpose of determining compliance under § 60.104(b) shall be conducted according to the applicable procedures specified under § 60.106.

(b) Owners or operators who seek to comply with § 60.104(b)(3) shall meet that standard at all times, including periods of startup, shutdown, and malfunctions.

(c) The initial performance test shall consist of the initial 7-day average calculated for compliance with § 60.104(b)(1), (b)(2), or (b)(3).

(d) After conducting the initial performance test prescribed under § 60.8, the owner or operator of a fluid catalytic cracking unit catalyst regenerator subject to § 60.104(b) shall conduct a performance test for each successive 24-hour period thereafter. The daily performance tests shall be conducted according to the appropriate procedures specified under § 60.106. In the event that a sample collected under § 60.106(i) or (j) is accidentally lost or conditions occur in which one of the samples must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operators' control, compliance may be determined using available data for the 7-day period.

(e) Each owner or operator subject to § 60.104(b) who has demonstrated compliance with one of the provisions of § 60.104(b) but a later date seeks to comply with another of the provisions of § 60.104(b) shall begin conducting daily performance tests as specified under paragraph (d) of this section immediately upon electing to become subject to one of the other provisions of § 60.104(b). The owner or operator shall furnish the Administrator with a written notification of the change in the semiannual report required by § 60.107(e).

[54 FR 34030, Aug. 17, 1989, as amended at 55 FR 40178, Oct. 2, 1990; 64 FR 7466, Feb. 12, 1999]

§ 60.109 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities which shall not be delegated to States:

(1) Section 60.105(a)(13)(iii),

(2) Section 60.106(i)(12).

[54 FR 34031, Aug. 17, 1989, as amended at 55 FR 40178, Oct. 2, 1990]

APPENDIX C

40 CFR 60 SUBPART XX

Subpart XX-Standards of Performance for Bulk Gasoline Terminals

Source: 48 FR 37590, Aug. 18, 1983, unless otherwise noted.

§ 60.500 Applicability and designation of affected facility.

(a) The affected facility to which the provisions of this subpart apply is the total of all the loading racks at a bulk gasoline terminal which deliver liquid product into gasoline tank trucks.

(b) Each facility under paragraph (a) of this section, the construction or modification of which is commenced after December 17, 1980, is subject to the provisions of this subpart.

(c) For purposes of this subpart, any replacement of components of an existing facility, described in paragraph (a) of this section, commenced before August 18, 1983 in order to comply with any emission standard adopted by a State or political subdivision thereof will not be considered a reconstruction under the provisions of 40 CFR 60.15.

Note: The intent of these standards is to minimize the emissions of VOC through the application of best demonstrated technologies (BDT). The numerical emission limits in this standard are expressed in terms of total organic compounds. This emission limit reflects the performance of BDT.

§ 60.501 Definitions.

The terms used in this subpart are defined in the Clean Air Act, in §60.2 of this part, or in this section as follows:

Bulk gasoline terminal means any gasoline facility which receives gasoline by pipeline, ship, or barge, and has a gasoline throughput greater than 75,700 liters per day. Gasoline throughput shall be the maximum calculated design throughput as may be limited by compliance with an enforceable condition under Federal, State, or local law and discoverable by the Administrator and any other person.

Continuous vapor processing system means a vapor processing system that treats total organic compounds vapors collected from gasoline tank trucks on a demand basis without intermediate accumulation in a vapor holder.

Existing vapor processing system means a vapor processing system [capable of achieving emissions to the atmosphere no greater than 80 milligrams of total organic compounds per liter of gasoline loaded], the construction or refurbishment of which was commenced before December 17, 1980, and which was not constructed or refurbished after that date.

Flare means a thermal oxidation system using an open (without enclosure) flame.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or

greater which is used as a fuel for internal combustion engines.

Gasoline tank truck means a delivery tank truck used at bulk gasoline terminals which is loading gasoline or which has loaded gasoline on the immediately previous load.

Intermittent vapor processing system means a vapor processing system that employs an intermediate vapor holder to accumulate total organic compounds vapors collected from gasoline tank trucks, and treats the accumulated vapors only during automatically controlled cycles.

Loading rack means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill delivery tank trucks.

Refurbishment means, with reference to a vapor processing system, replacement of components of, or addition of components to, the system within any 2-year period such that the fixed capital cost of the new components required for such component replacement or addition exceeds 50 percent of the cost of a comparable entirely new system.

Thermal oxidation system means a combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize hazardous air pollutants. Auxiliary fuel may be used to heat air pollutants to combustion temperatures. Total organic compounds means those compounds measured according to the procedures in §60.50.

Vapor collection system means any equipment used for containing total organic compounds vapors displaced during the loading of gasoline tank trucks.

Vapor processing system means all equipment used for recovering or oxidizing total organic compounds vapors displaced from the affected facility.

Vapor-tight gasoline tank truck means a gasoline tank truck which has demonstrated within the 12 preceding months that its product delivery tank will sustain a pressure change of not more than 750 pascals (75 mm of water) within 5 minutes after it is pressurized to 4,500 pascals (450 mm of water). This capability is to be demonstrated using the pressure test procedure specified in Method 27.

[48 FR 37590, Aug. 18, 1983, as amended at 65 FR 61763, Oct. 17, 2000; 68 FR 70965, Dec. 19, 2003]

§ 60.502 Standard for Volatile Organic Compound (VOC) emissions from bulk gasoline terminals.

On and after the date on which §60.8(a) requires a performance test to be completed, the owner or operator of each bulk gasoline terminal containing an affected facility shall comply with the requirements of this section.

(a) Each affected facility shall be equipped with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading.

(b) The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded, except as noted in paragraph (c) of this section.

(c) For each affected facility equipped with an existing vapor processing system, the emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 80 milligrams of total organic compounds per liter of gasoline loaded.

(d) Each vapor collection system shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.

(e) Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:

(1) The owner or operator shall obtain the vapor tightness documentation described in §60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.

(2) The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.

(3)(i) The owner or operator shall cross-check each tank identification number obtained in paragraph (e)(2) of this section with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:

(A) If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or

(B) If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually.

(ii) If either the quarterly or semiannual cross-check provided in paragraphs(e)(3)(i) (A) through (B) of this section reveals that these were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met.

(4) The terminal owner or operator shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the affected facility within 1 week of the documentation cross-check in paragraph (e)(3) of this section.

(5) The terminal owner or operator shall take

steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.

(6) Alternate procedures to those described in paragraphs (e)(1) through (5) of this section for limiting gasoline tank truck loadings may be used upon application to, and approval by, the Administrator.

(f) The owner or operator shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

(g) The owner or operator shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.

(h) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in §60.503(d).

(i) No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).

(j) Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

[48 FR 37590, Aug. 18, 1983; 48 FR 56580, Dec. 22, 1983, as amended at 54 FR 6678, Feb. 14, 1989; 64 FR 7466, Feb. 12, 1999]

§ 60.503 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). The three-run requirement of §60.8(f) does not apply to this subpart.

(b) Immediately before the performance test required to determine compliance with §60.502 (b), (c), and (h), the owner or operator shall use Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The owner

or operator shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.

(c) The owner or operator shall determine compliance with the standards in §60.502 (b) and (c) as follows:

(1) The performance test shall be 6 hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete 6-hour period. In the latter case, the 300,000-liter criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput normally occurs.

(2) If the vapor processing system is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor processor. If this does not occur under automatically controlled operations, the system shall be manually controlled.

(3) The emission rate (E) of total organic compounds shall be computed using the following equation:

$$E = K \sum_{i=1}^n \frac{V_{esi} C_{ei}}{L 10^6}$$

where:

E = emission rate of total organic compounds, mg/liter of gasoline loaded.

V_{esi} = volume of air-vapor mixture exhausted at each interval "i", scm.

C_{ei} = concentration of total organic compounds at each interval "i", ppm.

L = total volume of gasoline loaded, liters.

n = number of testing intervals.

i = emission testing interval of 5 minutes.

K = density of calibration gas, 1.83×10^6 for propane and 2.41×10^6 for butane, mg/scm.

(4) The performance test shall be conducted in intervals of 5 minutes. For each interval "i", readings from each measurement shall be recorded, and the volume exhausted (V_{esi}) and the corresponding average total organic compounds concentration (C_{ei}) shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted.

(5) The following methods shall be used to determine the volume (V_{esi}) air-vapor mixture exhausted at each interval:

(i) Method 2B shall be used for combustion vapor processing systems.

(ii) Method 2A shall be used for all other vapor processing systems.

(6) Method 25A or 25B shall be used for determining the total organic compounds concentration (C_{ei}) at each interval. The calibration gas shall be either propane or butane. The owner or operator may exclude the methane and ethane content in the exhaust vent by any method (e.g., Method 18) approved by the Administrator.

(7) To determine the volume (L) of gasoline dispensed during the performance test period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used.

(d) The owner or operator shall determine compliance with the standard in §60.502(h) as follows:

(1) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ± 2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.

(2) During the performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

(e) The performance test requirements of paragraph (c) of this section do not apply to flares defined in §60.501 and meeting the requirements in §60.18(b) through (f). The owner or operator shall demonstrate that the flare and associated vapor collection system is in compliance with the requirements in §§60.18(b) through (f) and 60.503(a), (b), and (d).

(f) The owner or operator shall use alternative test methods and procedures in accordance with the alternative test method provisions in §60.8(b) for flares that do not meet the requirements in §60.18(b).

[54 FR 6678, Feb. 14, 1989; 54 FR 21344, Feb. 14, 1989, as amended at 68 FR 70965, Dec. 19, 2003]

§ 60.504 [Reserved]

§ 60.505 Reporting and recordkeeping.

(a) The tank truck vapor tightness documentation required under §60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.

(b) The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, as a minimum,

the following information:

(1) Test title: Gasoline Delivery Tank Pressure Test-EPA Reference Method 27.

(2) Tank owner and address.

(3) Tank identification number.

(4) Testing location.

(5) Date of test.

(6) Tester name and signature.

(7) Witnessing inspector, if any: Name, signature, and affiliation.

(8) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).

(c) A record of each monthly leak inspection required under §60.502(j) shall be kept on file at the terminal for at least 2 years. Inspection records shall include, as a minimum, the following information:

(1) Date of inspection.

(2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).

(3) Leak determination method.

(4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).

(5) Inspector name and signature.

(d) The terminal owner or operator shall keep documentation of all notifications required under §60.502(e)(4) on file at the terminal for at least 2 years.

(e) As an alternative to keeping records at the

terminal of each gasoline cargo tank test result as required in paragraphs (a), (c), and (d) of this section, an owner or operator may comply with the requirements in either paragraph (e)(1) or (2) of this section.

(1) An electronic copy of each record is instantly available at the terminal.

(i) The copy of each record in paragraph (e)(1) of this section is an exact duplicate image of the original paper record with certifying signatures.

(ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with paragraph (e)(1) of this section.

(2) For facilities that utilize a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation is made available (e.g., via facsimile) for inspection by permitting authority representatives during the course of a site visit, or within a mutually agreeable time frame.

(i) The copy of each record in paragraph (e)(2) of this section is an exact duplicate image of the original paper record with certifying signatures.

(ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with paragraph (e)(2) of this section.

(f) The owner or operator of an affected facility shall keep records of all replacements

or additions of components performed on an existing vapor processing system for at least 3 years.

[48 FR 37590, Aug. 18, 1983; 48 FR 56580, Dec. 22, 1983, as amended at 68 FR 70965, Dec. 19, 2003]

§ 60.506 Reconstruction.

For purposes of this subpart:

(a) The cost of the following frequently replaced components of the affected facility shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital costs that would be required to construct a comparable entirely new facility" under §60.15: pump seals, loading arm gaskets and swivels, coupler gaskets, overfill sensor couplers and cables, flexible vapor hoses, and grounding cables and connectors.

(b) Under §60.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components (except components specified in §60.506(a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following December 17, 1980. For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

APPENDIX D

40 CFR 60 SUBPARTS GGG AND VV

Subpart GGG-Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries

Source: 49 FR 22606, May 30, 1984, unless otherwise noted.

§ 60.590 Applicability and designation of affected facility.

- (a)(1) The provisions of this subpart apply to affected facilities in petroleum refineries.
- (2) A compressor is an affected facility.
- (3) The group of all the equipment (defined in §60.591) within a process unit is an affected facility.
- (b) Any affected facility under paragraph (a) of this section that commences construction or modification after January 4, 1983, is subject to the requirements of this subpart.
- (c) Addition or replacement of equipment (defined in §60.591) for the purpose of process improvement which is accomplished without a capital expenditure shall not by itself be considered a modification under this subpart.
- (d) Facilities subject to subpart VV or subpart KKK of 40 CFR part 60 are excluded from this subpart.

§ 60.591 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the act, in subpart A of part 60, or in subpart VV of part 60, and the following terms shall have the specific meanings given them.

Alaskan North Slope means the approximately 69,000 square mile area extending from the Brooks Range to the Arctic Ocean.

Equipment means each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, and flange or other connector in VOC service. For the purposes of recordkeeping and reporting only, compressors are considered equipment.

In hydrogen service means that a compressor contains a process fluid that meets the conditions specified in §60.593(b).

In light liquid service means that the piece of equipment contains a liquid that meets the conditions specified in §60.593(c).

Petroleum means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

Petroleum refinery means any facility engaged in producing gasoline, kerosene, distillate fuel

oils, residual fuel oils, lubricants, or other products through the distillation of petroleum, or through the redistillation, cracking, or reforming of unfinished petroleum derivatives.

Process unit means components assembled to produce intermediate or final products from petroleum, unfinished petroleum derivatives, or other intermediates; a process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

§ 60.592 Standards.

- (a) Each owner or operator subject to the provisions of this subpart shall comply with the requirements of §60.482-1 to 60.482-10 as soon as practicable, but no later than 180 days after initial startup.
- (b) An owner or operator may elect to comply with the requirements of §60.483-1 and 60.483-2.
- (c) An owner or operator may apply to the Administrator for a determination of equivalency for any means of emission limitation that achieves a reduction in emissions of VOC at least equivalent to the reduction in emissions of VOC achieved by the controls required in this subpart. In doing so, the owner or operator shall comply with requirements of §60.484.
- (d) Each owner or operator subject to the provisions of this subpart shall comply with the provisions of §60.485 except as provided in §60.593.
- (e) Each owner or operator subject to the provisions of this subpart shall comply with the provisions of §60.486 and 60.487.

§ 60.593 Exceptions.

- (a) Each owner or operator subject to the provisions of this subpart may comply with the following exceptions to the provisions of subpart VV.
- (b)(1) Compressors in hydrogen service are exempt from the requirements of § 60.592 if an owner or operator demonstrates that a compressor is in hydrogen service.
- (2) Each compressor is presumed not to be in hydrogen service unless an owner or operator demonstrates that the piece of equipment is in hydrogen service. For a piece of equipment to be considered in hydrogen service, it must be

determined that the percent hydrogen content can be reasonably expected always to exceed 50 percent by volume. For purposes of determining the percent hydrogen content in the process fluid that is contained in or contacts a compressor, procedures that conform to the general method described in ASTM E260-73, 91, or 96, E168-67, 77, or 92, or E169-63, 77, or 93 (incorporated by reference as specified in § 60.17) shall be used.

- (3)(i) An owner or operator may use engineering judgment rather than procedures in paragraph (b)(2) of this section to demonstrate that the percent content exceeds 50 percent by volume, provided the engineering judgment demonstrates that the content clearly exceeds 50 percent by volume. When an owner or operator and the Administrator do not agree on whether a piece of equipment is in hydrogen service, however, the procedures in paragraph (b)(2) shall be used to resolve the disagreement.
- (ii) If an owner or operator determines that a piece of equipment is in hydrogen service, the determination can be revised only after following the procedures in paragraph (b)(2).

(c) Any existing reciprocating compressor that becomes an affected facility under provisions of § 60.14 or § 60.15 is exempt from § 60.482 (a), (b), (c), (d), (e), and (h) provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of § 60.482 (a), (b), (c), (d), (e), and (h).

(d) An owner or operator may use the following provision in addition to § 60.485(e): Equipment is in light liquid service if the percent evaporated is greater than 10 percent at 150°C as determined by ASTM Method D86-78, 82, 90, 95, or 96 (incorporated by reference as specified in § 60.18).

(e) Pumps in light liquid service and valves in gas/vapor and light liquid service within a process unit that is located in the Alaskan North Slope are exempt from the requirements of § 60.482-2 and § 60.482-7.

[49 FR 22606, May 30, 1984, as amended at 65 FR 61768, Oct. 17, 2000]

Subpart VV – Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry

Source: 48 FR 48335, Oct. 18, 1983, unless otherwise noted.

§60.480 Applicability and designation of affected facility.

(a)(1) The provisions of this subpart apply to affected facilities in the synthetic organic chemicals manufacturing industry.

(2) The group of all equipment (defined in §60.481) within a process unit is an affected facility.

(b) Any affected facility under paragraph (a) of this section that commences construction or modification after January 5, 1981, shall be subject to the requirements of this subpart.

(c) Addition or replacement of equipment for the purpose of process improvement which is accomplished without a capital expenditure shall not by itself be considered a modification under this subpart.

(d)(1) If an owner or operator applies for one or more of the exemptions in this paragraph, then the owner or operator shall maintain records as required in §60.486(i).

(2) Any affected facility that has the design capacity to produce less than 1,000 Mg/yr (1,102 ton/yr) is exempt from §60.482.

(3) If an affected facility produces heavy liquid chemicals only from heavy liquid feed or raw materials, then it is exempt from §60.482.

(4) Any affected facility that produces beverage alcohol is exempt from §60.482.

(5) Any affected facility that has no equipment in VOC service is exempt from §60.482.

(e) Alternative means of compliance –

(1) *Option to comply with part 65.* Owners or operators may choose to comply with the provisions of 40 CFR part 65, subpart F, to satisfy the requirements of §§60.482 through 60.487 for an affected facility. When choosing to comply with 40 CFR part 65, subpart F, the requirements of §60.485(d), (e), and (f), and §60.486(i) and (j) still apply. Other provisions applying to an owner or operator who chooses to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(2) *Part 60, subpart A.* Owners or operators who choose to comply with 40 CFR part 65, subpart F must also comply with §§60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for that equipment. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of equipment subject to this subpart complying with 40 CFR part 65, subpart F, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart F, must comply with 40 CFR part 65, subpart A.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22607, May 30, 1984; 65 FR 61762, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000]

§ 60.481 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act or in subpart A of part 60, and the following terms shall have the specific meanings given them.

Capital expenditure means, in addition to the definition in 40 CFR part 60.2, an expenditure for a physical or operational change to an existing facility that:

(a) Exceeds P, the product of the facility's replacement cost, R, and an adjusted annual asset guideline repair allowance, A, as reflected by the following equation:

$$P = R \times A, \text{ where}$$

(1) The adjusted annual asset guideline repair allowance, A, is the product of the percent of the replacement cost, Y, and the applicable basic annual asset guideline repair allowance, B, divided by 100 as reflected by the following equation:

$$A = Y \times (B \div 100);$$

(2) The percent Y is determined from the following equation: $Y = 1.0 - 0.575 \log X$, where X is 1982 minus the year of construction; and

(3) The applicable basic annual asset guideline repair allowance, B, is selected from the following table consistent with the applicable subpart:

TABLE FOR DETERMINING APPLICABLE FOR B

| Subpart applicable to facility | Value of B to be used in equation |
|--------------------------------|-----------------------------------|
| VV..... | 12.5 |
| DDD..... | 12.5 |
| GGG..... | 7.0 |
| KKK..... | 4.5 |

Closed vent system means a system that is not open to the atmosphere and that is composed of hard-piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device or back to a process.

Connector means flanged, screwed, welded, or other joined fittings used to connect two pipe lines or a pipe line and a piece of process equipment.

Control device means an enclosed combustion device, vapor recovery system, or flare.

Distance piece means an open or enclosed casing through which the piston rod travels, separating the compressor cylinder from the crankcase.

Double block and bleed system means two block valves connected in series with a bleed valve or line that can vent the line between the two block valves.

Duct work means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and

often has sections connected by screws or crimping. Hard-piping is not ductwork.

Equipment means each pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, valve, and flange or other connector in VOC service and any devices or systems required by this subpart.

First attempt at repair means to take rapid action for the purpose of stopping or reducing leakage of organic material to atmosphere using best practices.

Fuel gas means gases that are combusted to derive useful work or heat.

Fuel gas system means the offsite and onsite piping and flow and pressure control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as fuel gas in combustion devices or in-process combustion equipment, such as furnaces and gas turbines, either singly or in combination.

Hard-piping means pipe or tubing that is manufactured and properly installed using good engineering judgement and standards such as ASME B31.3, Process Piping (available from the American Society of Mechanical Engineers, PO Box 2900, Fairfield, NJ 07007-2900).

In gas/vapor service means that the piece of equipment contains process fluid that is in the gaseous state at operating conditions.

In heavy liquid service means that the piece of equipment is not in gas/vapor service or in light liquid service.

In light liquid service means that the piece of equipment contains a liquid that meets the conditions specified in §60.485(e).

In-situ sampling systems means nonextractive samplers or in-line samplers.

In vacuum service means that equipment is operating at an internal pressure which is at least 5 kilopascals (kPa)(0.7 psia) below ambient pressure.

In VOC service means that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of §60.485(d) specify how to determine that a piece of equipment is not in VOC service.)

Liquids dripping means any visible leakage from the seal including spraying, misting, clouding, and ice formation.

Open-ended valve or line means any valve, except safety relief valves, having one side of the valve seat in contact with process fluid and one side open to the atmosphere, either directly or through open piping.

Pressure release means the emission of materials resulting from system pressure being greater than set pressure of the pressure relief device.

Process improvement means routine changes made for safety and occupational health requirements, for energy savings, for better utility, for ease of maintenance and operation, for correction of design deficiencies, for bottleneck removal, for changing product requirements, or for environmental control.

Process unit means components assembled to produce, as intermediate or final products, one or more of the chemicals listed in §60.489 of this part. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

Process unit shutdown means a work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare equipment and technically feasible bypassing of equipment without stopping production are not process unit shutdowns.

Quarter means a 3-month period; the first quarter concludes on the last day of the last full month during the 180 days following initial startup.

Repaired means that equipment is adjusted, or otherwise altered, in order to eliminate a leak as indicated by one of the following: an instrument reading of 10,000 ppm or greater, indication of liquids dripping, or indication by a sensor that a seal or barrier fluid system has failed.

Replacement cost means the capital needed to purchase all the depreciable components in a facility.

Sampling connection system means an assembly of equipment within a process unit used during periods of representative operation to take samples of the process fluid. Equipment used to take nonroutine grab samples is not considered a sampling connection system.

Sensor means a device that measures a physical quantity or the change in a physical quantity such as temperature, pressure, flow rate, pH, or liquid level.

Synthetic organic chemicals manufacturing industry means the industry that produces, as intermediates or final products, one or more of the chemicals listed in §60.489.

Volatile organic compounds or VOC means, for the purposes of this subpart, any reactive organic compounds as defined in §60.2 Definitions.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22607, May 30, 1984; 49 FR 26738, June 29, 1984; 60 FR 43258, Aug. 18, 1995; 65 FR 61762, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000]

§ 60.482-1 Standards: General.

(a) Each owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of §60.482-1

through §60.482-10 or §60.480(e) for all equipment within 180 days of initial startup.

(b) Compliance with §§60.482-1 to 60.482-10 will be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in §60.485.

(c)(1) An owner or operator may request a determination of equivalence of a means of emission limitation to the requirements of §§60.482-2, 60.482-3, 60.482-5, 60.482-6, 60.482-7, 60.482-8, and 60.482-10 as provided in §60.484.

(2) If the Administrator makes a determination that a means of emission limitation is at least equivalent to the requirements of §§60.482-2, 60.482-3, 60.482-5, 60.482-6, 60.482-7, 60.482-8, or 60.482-10, an owner or operator shall comply with the requirements of that determination.

(d) Equipment that is in vacuum service is excluded from the requirements of §§60.482-2 to 60.482-10 if it is identified as required in §60.486(e)(5).

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22608, May 30, 1984; 65 FR 78276, Dec. 14, 2000]

§60.482-2 Standards: Pumps in light liquid service.

(a)(1) Each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in §60.485(b), except as provided in §60.482-1(c) and paragraphs (d), (e), and (f) of this section.

(2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal.

(b)(1) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(2) If there are indications of liquids dripping from the pump seal, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482-9.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(d) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of paragraph (a), provided the following requirements are met:

(1) Each dual mechanical seal system is:

(i) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(ii) Equipment with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of §60.482-10; or

(iii) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

(2) The barrier fluid system is in heavy liquid service or is not in VOC service.

(3) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.

(4) Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals.

(5)(i) Each sensor as described in paragraph (d)(3) is checked daily or is equipped with an audible alarm, and

(ii) The owner or operator determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(6)(i) If there are indications of liquids dripping from the pump seal or the sensor indicates failure of the seal system, the barrier fluid system, or both based on the criterion determined in paragraph (d)(5)(ii), a leak is detected.

(ii) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482-9.

(iii) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(e) Any pump that is designated, as described in §§60.486(e)(1) and (2), for no detectable emission, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a), (c), and (d) of this section if the pump:

(1) Has no externally actuated shaft penetrating the pump housing,

(2) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background as measured by the methods specified in §60.485(c), and

(3) Is tested for compliance with paragraph (e)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.

(f) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process or to a fuel gas system or to a control device that complies with the requirements of §60.482-10, it is exempt from paragraphs (a) through (e) of this section.

(g) Any pump that is designated, as described in §60.486(f)(1), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of paragraphs (a) and (d)(4) through (6) of this section if:

(1) The owner or operator of the pump demonstrates that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a

consequence of complying with paragraph (a) of this section; and

(2) The owner or operator of the pump has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (c) of this section if a leak is detected.

(h) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirement of paragraphs (a)(2) and (d)(4) of this section, and the daily requirements of paragraph (d)(5) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000]

§60.482-3 Standards: Compressors.

(a) Each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except as provided in §60.482-1(c) and paragraph (h) and (i) of this section.

(b) Each compressor seal system as required in paragraph (a) shall be:

(1) Operated with the barrier fluid at a pressure that is greater than the compressor stuffing box pressure; or

(2) Equipped with a barrier fluid system degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of §60.482-10; or

(3) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

(c) The barrier fluid system shall be in heavy liquid service or shall not be in VOC service.

(d) Each barrier fluid system as described in paragraph (a) shall be equipped with a sensor that will detect failure of the seal system, barrier fluid system, or both.

(e)(1) Each sensor as required in paragraph (d) shall be checked daily or shall be equipped with an audible alarm.

(2) The owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(f) If the sensor indicates failure of the seal system, the barrier system, or both based on the criterion determined under paragraph (e)(2), a leak is detected.

(g)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482-9.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(h) A compressor is exempt from the requirements of paragraphs (a) and (b) of this section, if it is equipped with a closed vent system to capture and transport leakage from the compressor drive shaft back to a process or fuel gas system or to a control device that complies with the requirements of §60.482-10, except as provided in paragraph (i) of this section.

(i) Any compressor that is designated, as described in §§60.486(e) (1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a)-(h) if the compressor:

(1) Is demonstrated to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the methods specified in §60.485(c); and

(2) Is tested for compliance with paragraph (i)(1) of this section initially upon designation, annually, and at other times requested by the Administrator.

(j) Any existing reciprocating compressor in a process unit which becomes an affected facility under provisions of §60.14 or §60.15 is exempt from §§60.482(a), (b), (c), (d), (e), and (h), provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of paragraphs (a) through (e) and (h) of this section.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78277, Dec. 14, 2000]

§60.482-4 Standards: Pressure relief devices in gas/vapor service.

(a) Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as determined by the methods specified in §60.485(c).

(b)(1) After each pressure release, the pressure relief device shall be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 5 calendar days after the pressure release, except as provided in §60.482-9.

(2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the conditions of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, by the methods specified in §60.485(c).

(c) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in §60.482-10 is exempted from the requirements of paragraphs (a) and (b) of this section.

(d)(1) Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of paragraphs (a) and (b) of this section, provided the owner or operator complies with the requirements in paragraph (d)(2) of this section.

(2) After each pressure release, a new rupture disk shall be installed upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in §60.482-9.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78277, Dec. 14, 2000]

§60.482-5 Standards: Sampling connection systems.

(a) Each sampling connection system shall be equipped with a closed-purged, closed-loop, or closed-vent system, except as provided in §60.482-1(c). Gases displaced during filling of the sample container are not required to be collected or captured.

(b) Each closed-purge, closed-loop, or closed-vent system as required in paragraph (a) of this section shall comply with the requirements specified in paragraphs (b)(1) through (4) of this section:

(1) Return the purged process fluid directly to the process line; or

(2) Collect and recycle the purged process fluid to a process; or

(3) Be designed and operated to capture and transport all the purged process fluid to a control device that complies with the requirements of §60.482-10; or

(4) Collect, store, and transport the purged process fluid to any of the following systems or facilities:

(i) A waste management unit as defined in 40 CFR 63.111, if the waste management unit is subject to, and operated in compliance with the provisions of 40 CFR part 63, subpart G, applicable to Group 1 wastewater streams;

(ii) A treatment, storage, or disposal facility subject to regulation under 40 CFR part 262, 264, 265, or 266; or

(iii) A facility permitted, licensed, or registered by a State to manage municipal or industrial solid waste, if the process fluids are not hazardous waste as defined in 40 CFR part 261.

(c) In situ sampling systems and sampling systems without purges are exempt from the requirements of paragraphs (a) and (b) of this section.

[60 FR 43258, Aug. 18, 1995, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78277, Dec. 14, 2000]

§60.482-6 Standards: Open-ended valves or lines.

(a)(1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve, except as provided in §60.482-1(c).

(2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.

(b) Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

(c) When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with paragraph (a) at all other times.

(d) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of paragraphs (a), (b) and (c) of this section.

(e) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system as specified in paragraphs (a) through (c) of this section are exempt from the requirements of paragraphs (a) through (c) of this section.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22607, May 30, 1984; 65 FR 78277, Dec. 14, 2000]

§60.482-7 Standards: Valves in gas/vapor service in light liquid service.

(a) Each valve shall be monitored monthly to detect leaks by the methods specified in §60.485(b) and shall comply with paragraphs (b) through (e), except as provided in paragraphs (f), (g), and (h), §60.483-1, 2, and §60.482-1(c).

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected.

(2) If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

(d)(1) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in §60.482-9.

(2) A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(e) First attempts at repair include, but are not limited to, the following best practices where practicable:

- (1) Tightening of bonnet bolts;
- (2) Replacement of bonnet bolts;
- (3) Tightening of packing gland nuts;
- (4) Injection of lubricant into lubricated packing.

(f) Any valve that is designated, as described in §60.486(e)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraph (a) if the valve:

(1) Has no external actuating mechanism in contact with the process fluid,

(2) Is operated with emissions less than 500 ppm above background as determined by the method specified in §60.485(c), and

(3) Is tested for compliance with paragraph (f)(2) of this section initially upon designation, annually, and at other times requested by the Administrator.

(g) Any valve that is designated, as described in §60.486(f)(1), as an unsafe-to-monitor valve is exempt from the requirements of paragraph (a) if:

(1) The owner or operator of the valve demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a), and

(2) The owner or operator of the valve adheres to a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times.

(h) Any valve that is designated, as described in §60.486(f)(2), as a difficult-to-monitor valve is exempt from the requirements of paragraph (a) if:

(1) The owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.

(2) The process unit within which the valve is located either becomes an affected facility through §60.14 or §60.15 or the owner or operator designates less than 3.0 percent of the total number of valves as difficult-to-monitor, and

(3) The owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22608, May 30, 1984; 65 FR 61762, Oct. 17, 2000]

§60.482-8 Standards: Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors.

(a) If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and connectors, the owner or operator shall follow either one of the following procedures:

(1) The owner or operator shall monitor the equipment within 5 days by the method specified in §60.485(b) and shall comply with the requirements of paragraphs (b) through (d) of this section.

(2) The owner or operator shall eliminate the visual, audible, olfactory, or other indication of a potential leak.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §60.482-9.

(2) The first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(d) First attempts at repair include, but are not limited to, the best practices described under §60.482-7(e).

[48 CFR 48335, Oct. 18, 1983, as amended at 65 FR 78277, Dec. 14, 2000]

§60.482-9 Standards: Delay of repair.

(a) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 days is technically infeasible without a process unit shutdown. Repair of this equipment shall occur before the end of the next process unit shutdown.

(b) Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in VOC service.

(c) Delay of repair for valves will be allowed if:

(1) The owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and

(2) When repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with §60.482-10.

(d) Delay of repair for pumps will be allowed if:

(1) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and

(2) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

(e) Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted.

Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 78277, Dec. 14, 2000]

§60.482-10 Standards: Closed vent systems and control devices.

(a) Owners or operators of closed vent systems and control devices used to comply with

provisions of this subpart shall comply with the provisions of this section.

(b) Vapor recovery systems (for example, condensers and absorbers) shall be designed and operated to recover the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, whichever is less stringent.

(c) Enclosed combustion devices shall be designed and operated to reduce the VOC emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, on a dry basis, corrected to 3 percent oxygen, whichever is less stringent or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816 °C.

(d) Flares used to comply with this subpart shall comply with the requirements of §60.18.

(e) Owners or operators of control devices used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs.

(f) Except as provided in paragraphs (i) through (k) of this section, each closed vent system shall be inspected according to the procedures and schedule specified in paragraphs (f)(1) and (f)(2) of this section.

(1) If the vapor collection system or closed vent system is constructed of hard-piping, the owner or operator shall comply with the requirements specified in paragraphs (f)(1)(i) and (f)(1)(ii) of this section:

(i) Conduct an initial inspection according to the procedures in §60.485(b); and

(ii) Conduct annual visual inspections for visible, audible, or olfactory indications of leaks.

(2) If the vapor collection system or closed vent system is constructed of ductwork, the owner or operator shall:

(i) Conduct an initial inspection according to the procedures in §60.485(b); and

(ii) Conduct annual inspections according to the procedures in §60.485(b).

(g) Leaks, as indicated by an instrument reading greater than 500 parts per million by volume above background or by visual inspections, shall be repaired as soon as practicable except as provided in paragraph (h) of this section.

(1) A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.

(2) Repair shall be completed no later than 15 calendar days after the leak is detected.

(h) Delay of repair of a closed vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall

be complete by the end of the next process unit shutdown.

(i) If a vapor collection system or closed vent system is operated under a vacuum, it is exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section.

(j) Any parts of the closed vent system that are designated, as described in paragraph (l)(1) of this section, as unsafe to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (j)(1) and (j)(2) of this section:

(1) The owner or operator determines that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraphs (f)(1)(i) or (f)(2) of this section; and

(2) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.

(k) Any parts of the closed vent system that are designated, as described in paragraph (l)(2) of this section, as difficult to inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (f)(2) of this section if they comply with the requirements specified in paragraphs (k)(1) through (k)(3) of this section:

(1) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and

(2) The process unit within which the closed vent system is located becomes an affected facility through §60.14 or §60.15, or the owner or operator designates less than 3.0 percent of the total number of closed vent system equipment as difficult to inspect; and

(3) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years. A closed vent system is exempt from inspection if it is operated under a vacuum.

(l) The owner or operator shall record the information specified in paragraphs (l)(1) through (l)(5) of this section.

(1) Identification of all parts of the closed vent system that are designated as unsafe to inspect, an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment.

(2) Identification of all parts of the closed vent system that are designated as difficult to inspect, an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment.

(3) For each inspection during which a leak is detected, a record of the information specified in §60.486(c).

(4) For each inspection conducted in accordance with §60.485(b) during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(5) For each visual inspection conducted in accordance with paragraph (f)(1)(ii) of this section during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(m) Closed vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

[48 FR 48335, Oct. 18, 1983, as amended at 51 FR 2702, Jan. 21, 1986; 60 FR 43258, Aug. 18, 1995; 61 FR 29878, June 12, 1996; 65 FR 78277, Dec. 14, 2000]

§60.483-1 Alternative standards for valves-allowable percentage of valves leaking.

(a) An owner or operator may elect to comply with an allowable percentage of valves leaking of equal to or less than 2.0 percent.

(b) The following requirements shall be met if an owner or operator wishes to comply with an allowable percentage of valves leaking:

(1) An owner or operator must notify the Administrator that the owner or operator has elected to comply with the allowable percentage of valves leaking before implementing this alternative standard, as specified in §60.487(b).

(2) A performance test as specified in paragraph (c) of this section shall be conducted initially upon designation, annually, and at other times requested by the Administrator.

(3) If a valve leak is detected, it shall be repaired in accordance with §60.482-7(d) and (e).

(c) Performance tests shall be conducted in the following manner:

(1) All valves in gas/vapor and light liquid service within the affected facility shall be monitored within 1 week by the methods specified in §60.485(b).

(2) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(3) The leak percentage shall be determined by dividing the number of valves for which leaks are detected by the number of valves in gas/vapor and light liquid service within the affected facility.

(d) Owners and operators who elect to comply with this alternative standard shall not have an affected facility with a leak percentage greater than 2.0 percent.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78278, Dec. 14, 2000]

§60.483-2 Alternative standards for valves-skip period leak detection and repair.

(a)(1) An owner or operator may elect to comply with one of the alternative work practices specified in paragraphs (b)(2) and (3) of this section.

(2) An owner or operator must notify the Administrator before implementing one of the

alternative work practices, as specified in §60.487(b).

(b)(1) An owner or operator shall comply initially with the requirements for valves in gas/vapor service and valves in light liquid service, as described in §60.482-7.

(2) After 2 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 1 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(3) After 5 consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip 3 of the quarterly leak detection periods for the valves in gas/vapor and light liquid service.

(4) If the percent of valves leaking is greater than 2.0, the owner or operator shall comply with the requirements as described in §60.482-7 but can again elect to use this section.

(5) The percent of valves leaking shall be determined by dividing the sum of valves found leaking during current monitoring and valves for which repair has been delayed by the total number of valves subject to the requirements of this section.

(6) An owner or operator must keep a record of the percent of valves found leaking during each leak detection period.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000; 65 FR 78278, Dec. 14, 2000]

§60.484 Equivalence of means of emission limitation.

(a) Each owner or operator subject to the provisions of this subpart may apply to the Administrator for determination of equivalence for any means of emission limitation that achieves a reduction in emissions of VOC at least equivalent to the reduction in emissions of VOC achieved by the controls required in this subpart.

(b) Determination of equivalence to the equipment, design, and operational requirements of this subpart will be evaluated by the following guidelines:

(1) Each owner or operator applying for an equivalence determination shall be responsible for collecting and verifying test data to demonstrate equivalence of means of emission limitation.

(2) The Administrator will compare test data for the means of emission limitation to test data for the equipment, design, and operational requirements.

(3) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the equipment, design, and operational requirements.

(c) Determination of equivalence to the required work practices in this subpart will be evaluated by the following guidelines:

(1) Each owner or operator applying for a determination of equivalence shall be responsible for collecting and verifying test data to demonstrate equivalence of an equivalent means of emission limitation.

(2) For each affected facility for which a determination of equivalence is requested, the emission reduction achieved by the required work practice shall be demonstrated.

(3) For each affected facility, for which a determination of equivalence is requested, the emission reduction achieved by the equivalent means of emission limitation shall be demonstrated.

(4) Each owner or operator applying for a determination of equivalence shall commit in writing to work practice(s) that provide for emission reductions equal to or greater than the emission reductions achieved by the required work practice.

(5) The Administrator will compare the demonstrated emission reduction for the equivalent means of emission limitation to the demonstrated emission reduction for the required work practices and will consider the commitment in paragraph (c)(4).

(6) The Administrator may condition the approval of equivalence on requirements that may be necessary to assure operation and maintenance to achieve the same emission reduction as the required work practice.

(d) An owner or operator may offer a unique approach to demonstrate the equivalence of any equivalent means of emission limitation.

(e)(1) After a request for determination of equivalence is received, the Administrator will publish a notice in the *Federal Register* and provide the opportunity for public hearing if the Administrator judges that the request may be approved.

(2) After notice and opportunity for public hearing, the Administrator will determine the equivalence of a means of emission limitation and will publish the determination in the *Federal Register*.

(3) Any equivalent means of emission limitations approved under this section shall constitute a required work practice, equipment, design, or operational standard within the meaning of section 111(h)(1) of the Clean Air Act.

(f)(1) Manufacturers of equipment used to control equipment leaks of VOC may apply to the Administrator for determination of equivalence for any equivalent means of emission limitation that achieves a reduction in emissions of VOC achieved by the equipment, design, and operational requirements of this subpart.

(2) The Administrator will make an equivalence determination according to the provisions of paragraphs (b), (c), (d), and (e) of this section.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61762, Oct. 17, 2000]

§60.485 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the standards in §§60.482, 60.483, and 60.484 as follows:

(1) Method 21 shall be used to determine the presence of leaking sources. The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21. The following calibration gases shall be used:

(i) Zero air (less than 10 ppm of hydrocarbon in air); and

(ii) A mixture of methane or n-hexane and air at a concentration of about, but less than, 10,000 ppm methane or n-hexane.

(c) The owner or operator shall determine compliance with the no detectable emission standards in §§60.482-2(e), 60.482-3(i), 60.482-4, 60.482-7(f), and 60.482-10(e) as follows:

(1) The requirements of paragraph (b) shall apply.

(2) Method 21 shall be used to determine the background level. All potential leak interfaces shall be traversed as close to the interface as possible. The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.

(d) The owner or operator shall test each piece of equipment unless he demonstrates that a process unit is not in VOC series, i.e., that the VOC content would never be reasonably expected to exceed 10 percent by weight. For purposes of this demonstration, the following methods and procedures shall be used:

(1) Procedures that conform to the general methods in ASTM E260-73, 91, or 96, E168-67, 77, or 92, E169-63, 77, or 93 (incorporated by reference -- see §60.17) shall be used to determine the percent VOC content in the process fluid that is contained in or contacts a piece of equipment.

(2) Organic compounds that are considered by the Administrator to have negligible photochemical reactivity may be excluded from the total quantity of organic compounds in determining the VOC content of the process fluid.

(3) Engineering judgment may be used to estimate the VOC content, if a piece of equipment had not been shown previously to be in service. If the Administrator disagrees with the judgment, paragraphs (d) (1) and (2) of this section shall be used to resolve the disagreement.

(e) The owner or operator shall demonstrate that an equipment is in light liquid service by showing that all the following conditions apply:

(1) The vapor pressure of one or more of the components is greater than 0.3 kPa at 20 °C (1.2 in. H₂O at 68 °F). Standard reference texts or ASTM D2879-83, 96, or 97 (incorporated by reference -- see §60.17) shall be used to determine the vapor pressures.

(2) The total concentration of the pure components having a vapor pressure greater than 0.3 kPa at 20 °C (1.2 in. H₂O at 68 °F) is equal to or greater than 20 percent by weight.

(3) The fluid is a liquid at operating conditions.

(f) Samples used in conjunction with paragraphs (d), (e), and (g) of this section shall be representative of the process fluid that is contained in or contacts the equipment or the gas being combusted in the flare.

(g) The owner or operator shall determine compliance with the standards of flares as follows:

(1) Method 22 shall be used to determine visible emissions.

(2) A thermocouple or any other equivalent device shall be used to monitor the presence of a pilot flame in the flare.

(3) The maximum permitted velocity for air assisted flares shall be computed using the following equation:

$$V_{\max} = K_1 + K_2 H_T$$

Where:

V_{\max} = Maximum permitted velocity, m/sec (ft/sec)

H_T = Net heating value of the gas being combusted, MJ/scm (Btu/scf).

K_1 = 8.706 m/sec (metric units)

= 28.56 ft/sec (English units)

K_2 = 0.7084 m⁴/(MJ-sec) (metric units)

= 0.087 ft⁴/(Btu-sec) (English units)

(4) The net heating value (H_T) of the gas being combusted in a flare shall be computed using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

K = Conversion constant, 1.740 × 10⁷ (g-mole)(MJ)/(ppm-scm-kcal) (metric units)

= 4.674 × 10⁸ [(g-mole)(Btu)/(ppm-scf-kcal)] (English units)

C_i = Concentration of sample component "i," ppm.

H_i = net heat of combustion of sample component "i" at 25 °C and 760 mm Hg (77 °F and 14.7 psi), kcal/g-mole

(5) Method 18 and ASTM D2504-67, 77, or 88 (Reapproved 1993) (incorporated by reference -- see §60.17) shall be used to determine the concentration of sample component "i."

(6) ASTM D2382-76 or 88 or D4809-95 (incorporated by reference -- see §60.17) shall be used to determine the net heat of combustion of component "i" if published values are not available or cannot be calculated.

(7) Method 2, 2A, 2C, or 2D, as appropriate, shall be used to determine the actual exit velocity of a flare. If needed, the unobstructed (free) cross-sectional area of the flare tip shall be used.

[54 FR 6678, Feb. 14, 1989, as amended at 54 FR 27016, June 27, 1989; 65 FR 61763, Oct. 17, 2000]

§60.486 Recordkeeping requirements.

(a)(1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section.

(2) An owner or operator of more than one affected facility subject to the provisions of this subpart may comply with the recordkeeping requirements for these facilities in one recordkeeping system if the system identifies each record by each facility.

(b) When each leak is detected as specified in §§60.482-2, 60.482-3, 60.482-7, 60.482-8, and 60.483-2, the following requirements apply:

(1) A weatherproof and readily visible identification, marked with the equipment identification number, shall be attached to the leaking equipment.

(2) The identification on a valve may be removed after it has been monitored for 2 successive months as specified in §60.482-7(c) and no leak has been detected during those 2 months.

(3) The identification on equipment except on a valve, may be removed after it has been repaired.

(c) When each leak is detected as specified in §§60.482-2, 60.482-3, 60.482-7, 60.482-8, and 60.483-2, the following information shall be recorded in a log and shall be kept for 2 years in a readily accessible location:

(1) The instrument and operator identification numbers and the equipment identification number.

(2) The date the leak was detected and the dates of each attempt to repair the leak.

(3) Repair methods applied in each attempt to repair the leak.

(4) "Above 10,000" if the maximum instrument reading measured by the methods specified in §60.485(a) after each repair attempt is equal to or greater than 10,000 ppm.

(5) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.

(6) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a process shutdown.

(7) The expected date of successful repair of the leak if a leak is not repaired within 15 days.

(8) Dates of process unit shutdown that occur while the equipment is unrepaired.

(9) The date of successful repair of the leak.

(d) The following information pertaining to the design requirements for closed vent systems and control devices described in §60.482-10 shall be recorded and kept in a readily accessible location:

(1) Detailed schematics, design specifications, and piping and instrumentation diagrams.

(2) The dates and descriptions of any changes in the design specifications.

(3) A description of the parameter or parameters monitored, as required in §60.482-10(e), to ensure that control devices are operated and maintained in conformance with their design and an explanation of why that parameter (or parameters) was selected for the monitoring.

(4) Periods when the closed vent systems and control devices required in §§60.482-2, 60.482-3, 60.482-4, and 60.482-5 are not operated as designed, including periods when a flare pilot light does not have a flame.

(5) Dates of startups and shutdowns of the closed vent systems and control devices required in §§60.482-2, 60.482-3, 60.482-4, and 60.482-5.

(e) The following information pertaining to all equipment subject to the requirements in §§60.482-1 to 60.482-10 shall be recorded in a log that is kept in a readily accessible location:

(1) A list of identification numbers for equipment subject to the requirements of this subpart.

(2)(i) A list of identification numbers for equipment that are designated for no detectable emissions under the provisions of §§60.482-2(e), 60.482-3(i) and 60.482-7(f).

(ii) The designation of equipment as subject to the requirements of §60.482-2(e), §60.482-3(i), or §60.482-7(f) shall be signed by the owner or operator.

(3) A list of equipment identification numbers for pressure relief devices required to comply with §60.482-4.

(4)(i) The dates of each compliance test as required in §§60.482-2(e), 60.482-3(i), 60.482-4, and 60.482-7(f).

(ii) The background level measured during each compliance test.

(iii) The maximum instrument reading measured at the equipment during each compliance test.

(5) A list of identification numbers for equipment in vacuum service.

(f) The following information pertaining to all valves subject to the requirements of §60.482-7(g) and (h) and to all pumps subject to the requirements of §60.482-2(g) shall be recorded in a log that is kept in a readily accessible location:

(1) A list of identification numbers for valves and pumps that are designated as unsafe-to-monitor, an explanation for each valve or pump stating why the valve or pump is unsafe-to-monitor, and the plan for monitoring each valve or pump.

(2) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each valve stating why the valve is difficult-to-monitor, and the schedule for monitoring each valve.

(g) The following information shall be recorded for valves complying with §60.483-2:

(1) A schedule of monitoring.

(2) The percent of valves found leaking during each monitoring period.

(h) The following information shall be recorded in a log that is kept in a readily accessible location:

(1) Design criterion required in §§60.482-2(d)(5) and 60.482-3(e)(2) and explanation of the design criterion; and
 (2) Any changes to this criterion and the reasons for the changes.

(i) The following information shall be recorded in a log that is kept in a readily accessible location for use in determining exemptions as provided in §60.480(d):

(1) An analysis demonstrating the design capacity of the affected facility,

(2) A statement listing the feed or raw materials and products from the affected facilities and an analysis demonstrating whether these chemicals are heavy liquids or beverage alcohol, and

(3) An analysis demonstrating that equipment is not in VOC service.

(j) Information and data used to demonstrate that a piece of equipment is not in VOC service shall be recorded in a log that is kept in a readily accessible location.

(k) The provisions of §60.7 (b) and (d) do not apply to affected facilities subject to this subpart.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61763, Oct. 17, 2000; 65 FR 78278, Dec. 14, 2000]

§60.487 Reporting requirements.

(a) Each owner or operator subject to the provisions of this subpart shall submit semi-annual reports to the Administrator beginning six months after the initial startup date.

(b) The initial semiannual report to the Administrator shall include the following information:

(1) Process unit identification.

(2) Number of valves subject to the requirements of §60.482-7, excluding those valves designated for no detectable emissions under the provisions of §60.482-7(f).

(3) Number of pumps subject to the requirements of §60.482-2, excluding those pumps designated for no detectable emissions under the provisions of §60.482-2(e) and those pumps complying with §60.482-2(f).

(4) Number of compressors subject to the requirements of §60.482-3, excluding those compressors designated for no detectable emissions under the provisions of §60.482-3(i) and those compressors complying with §60.482-3(h).

(c) All semiannual reports to the Administrator shall include the following information, summarized from the information in §60.486:

(1) Process unit identification.

(2) For each month during the semiannual reporting period,

(i) Number of valves for which leaks were detected as described in §60.482-7(b) or §60.483-2,

(ii) Number of valves for which leaks were not repaired as required in §60.482-7(d)(1),

(iii) Number of pumps for which leaks were detected as described in §60.482-2(b) and (d)(6)(i),

(iv) Number of pumps for which leaks were not repaired as required in §60.482-2(c)(1) and (d)(6)(ii),

(v) Number of compressors for which leaks were detected as described in §60.482-3(f),

(vi) Number of compressors for which leaks were not repaired as required in §60.482-3(g)(1), and

(vii) The facts that explain each delay of repair and, where appropriate, why a process unit shutdown was technically infeasible.

(3) Dates of process unit shutdowns which occurred within the semiannual reporting period.

(4) Revisions to items reported according to paragraph (b) if changes have occurred since the initial report or subsequent revisions to the initial report.

(d) An owner or operator electing to comply with the provisions of §§60.483-1 and 60.483-2 shall notify the Administrator of the alternative standard selected 90 days before implementing either of the provisions.

(e) An owner or operator shall report the results of all performance tests in accordance with §60.8 of the General Provisions. The provisions of §60.8(d) do not apply to affected facilities subject to the provisions of this

subpart except that an owner or operator must notify the Administrator of the schedule for the initial performance tests at least 30 days before the initial performance tests.

(f) The requirements of paragraphs (a) through (c) of this section remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with the requirements of paragraphs (a) through (c) of this section, provided that they comply with the requirements established by the State.

[48 FR 48335, Oct. 18, 1983, as amended at 49 FR 22608, May 30, 1984; 65 FR 61763, Oct. 17, 2000]

§60.488 Reconstruction.

For the purposes of this subpart:

(a) The cost of the following frequently replaced components of the facility shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital costs that would be required to construct a comparable new facility" under §60.15: pump seals, nuts and bolts, rupture disks, and packings.

(b) Under §60.15, the "fixed capital cost of new components" includes the fixed capital cost of all depreciable components (except components specified in §60.488 (a)) which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 2-year period following the applicability date for the appropriate subpart. (See the "Applicability and designation of affected facility" section of the appropriate subpart.) For purposes of this paragraph, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of component replacement.

[49 FR 22608, May 30, 1984]

§60.489 List of chemicals produced by affected facilities.

(a) The following chemicals are produced, as intermediates or final products, by process units covered under this subpart. The applicability date for process units producing one or more of these chemicals is January 5, 1981

| CAS No. ^a | Chemical |
|----------------------|-------------------|
| 105-57-7 | Acetal. |
| 75-07-0 | Acetaldehyde. |
| 107-89-1 | AcetaldoI. |
| 60-35-5 | Acetamide. |
| 103-84-4 | Acetanilide. |
| 64-19-7 | Acetic acid. |
| 108-24-7 | Acetic anhydride. |

| CAS No. ^a | Chemical |
|----------------------|----------------------|
| 67-64-1 | Acetone. |
| 75-86-5 | Acetone cyanohydrin. |
| 75-05-8 | Acetonitrile. |
| 98-86-2 | Acetophenone. |
| 75-36-5 | Acetyl chloride. |
| 74-86-2 | Acetylene. |
| 107-02-8 | Acrolein. |

| CAS No. ^a | Chemical |
|----------------------|---------------------|
| 79-06-1 | Acrylamide. |
| 79-10-7 | Acrylic acid. |
| 107-13-1 | Acrylonitrile. |
| 124-04-9 | Adipic acid. |
| 111-69-3 | Adiponitrile. |
| (b)..... | Alkyl naphthalenes. |
| 107-18-6 | Allyl alcohol. |

| CAS No. ^a | Chemical | CAS No. ^a | Chemical | CAS No. ^a | Chemical |
|----------------------------|----------------------------|---|--|----------------------|--|
| 107-05-1 | Allyl chloride. | 3(c). | | 112-15-2 | Diethylene glycol monoethyl ether acetate. |
| 1321-11-5 | Aminobenzoic acid. | 2136-81-4, | Chlorobenzotrichloride. | | |
| 111-41-1 | Aminoethylethanolamine. | 2136-89-2, | | 111-77-3 | Diethylene glycol monomethyl ether. |
| 123-30-8 | p-Aminophenol. | 5216-25-1(c) | | | |
| 628-63-7, 123-92-2. | Amyl acetates. | 1321-03-5 | Chlorobenzoyl chloride. | 64-67-5 | Diethyl sulfate. |
| 71-41-0(c) | Amyl alcohols. | 25497-29-4 | Chlorodifluoromethane. | 75-37-6 | Difluoroethane. |
| 110-58-7 | Amyl amine. | 75-45-6 | Chlorodifluoroethane. | 25167-70-8 | Diisobutylene. |
| 543-59-9 | Amyl chloride. | 67-66-3 | Chloroform. | 26761-40-0 | Diisodecyl phthalate. |
| 110-66-7(c) | Amyl mercaptans. | 25586-43-0 | Chloronaphthalene. | 27554-26-3 | Diisooctyl phthalate. |
| 1322-06-1 | Amyl phenol. | 88-73-3 | o-chloronitrobenzene. | 674-82-8 | Diketene. |
| 62-53-3 | Aniline. | 100-00-5 | p-chloronitrobenzene. | 124-40-3 | Dimethylamine. |
| 142-04-1 | Aniline hydrochloride. | 25167-80-0 | Chlorophenols. | 121-69-7 | N,N-dimethylaniline. |
| 29191-52-4 | Anisidine. | 126-99-8 | Chloroprene. | 115-10-6 | N,N-dimethyl ether. |
| 100-66-3 | Anisole. | 7790-94-5 | Chlorosulfonic acid. | 68-12-2 | N,N-dimethylformamide. |
| 118-92-3 | Anthranilic acid. | 108-41-8 | m-chlorotoluene. | 57-14-7 | Dimethylhydrazine. |
| 84-65-1 | Antraquinone. | 95-49-8 | o-chlorotoluene. | 77-78-1 | Dimethyl sulfate. |
| 100-52-7 | Benzaldehyde. | 106-43-4 | p-chlorotoluene. | 75-18-3 | Dimethyl sulfide. |
| 55-21-0 | Benzamide. | 75-72-9 | Chlorotrifluoromethane. | 67-68-5 | Dimethyl sulfoxide. |
| 71-43-2 | Benzene. | 108-39-4 | m-cresol. | 120-61-6 | Dimethyl terephthalate. |
| 98-48-6 | Benzenedisulfonic acid. | 95-48-7 | o-cresol. | 99-34-3 | 3,5-dinitrobenzoic acid. |
| 98-11-3 | Benzenesulfonic acid. | 106-44-5 | p-cresol. | 51-28-5 | Dinitrophenol. |
| 134-81-6 | Benzil. | 1319-77-3 | Mixed cresols. | 25321-14-6 | Dinitrotoluene. |
| 76-93-7 | Benzilic acid. | 1319-77-3 | Cresylic acid. | 123-91-1 | Dioxane. |
| 65-85-0 | Benzoic acid. | 4170-30-0 | Crotonaldehyde. | 646-06-0 | Dioxilane. |
| 119-53-9 | Benzooin. | 3724-65-0 | Crotonic acid. | 122-39-4 | Diphenylamine. |
| 100-47-0 | Benzonitrile. | 98-82-8 | Cumene. | 101-84-8 | Diphenyl oxide. |
| 119-61-9 | Benzophenone. | 80-15-9 | Cumene hydroperoxide. | 102-08-9 | Diphenyl thiourea. |
| 98-07-7 | Benzotrichloride. | 372-09-8 | Cyanoacetic acid. | 25265-71-8 | Dipropylene glycol. |
| 98-88-4 | Benzoyl chloride. | 506-77-4 | Cyanogen chloride. | 25378-22-7 | Dodecene. |
| 100-51-6 | Benzyl alcohol. | 108-80-5 | Cyanuric acid. | 28675-17-4 | Dodecylaniline. |
| 100-46-9 | Benzylamine. | 108-77-0 | Cyanuric chloride. | 27193-86-8 | Dodecylphenol. |
| 120-51-4 | Benzyl benzoate. | 110-82-7 | Cyclohexane. | 106-89-8 | Epichlorohydrin. |
| 100-44-7 | Benzyl chloride. | 108-93-0 | Cyclohexanol. | 64-17-5 | Ethanol. |
| 98-87-3 | Benzyl dichloride. | 108-94-1 | Cyclohexanone. | 141-43-5(c) | Ethanolamines. |
| 92-52-4 | Biphenyl. | 110-83-8 | Cyclohexene. | 141-78-6 | Ethyl acetate. |
| 80-05-7 | Bisphenol A. | 108-91-8 | Cyclohexylamine. | 141-97-9 | Ethyl acetoacetate. |
| 10-86-1 | Bromobenzene. | 111-78-4 | Cyclooctadiene. | 140-88-5 | Ethyl acrylate. |
| 27497-51-4 | Bromonaphthalene. | 112-30-1 | Decanol. | 75-04-7 | Ethylamine. |
| 106-99-0 | Butadiene. | 123-42-2 | Diacetone alcohol. | 100-41-4 | Ethylbenzene. |
| 106-98-9 | 1-butene. | 27576-04-1 | Diaminobenzoic acid. | 74-96-4 | Ethyl bromide. |
| 123-86-4 | n-butyl acetate. | 95-76-1, 95-82-9, 554-00-7, 608-27-5, 608-31-1, 626-43-7, 27134-27-6, 57311-92-9(c) | Dichloroaniline. | 9004-57-3 | Ethylcellulose. |
| 141-32-2 | n-butyl acrylate. | | | 75-00-3 | Ethyl chloride. |
| 71-36-3 | n-butyl alcohol. | | | 105-39-5 | Ethyl chloroacetate. |
| 78-92-2 | s-butyl alcohol. | | | 105-56-6 | Ethylcyanoacetate. |
| 75-65-0 | t-butyl alcohol. | | | 74-85-1 | Ethylene. |
| 109-73-9 | n-butylamine. | | | 96-49-1 | Ethylene carbonate. |
| 13952-84-6 | s-butylamine. | | | 107-07-3 | Ethylene chlorohydrin. |
| 75-64-9 | t-butylamine. | | | 107-15-3 | Ethylenediamine. |
| 98-73-7 | p-tert-butyl benzoic acid. | 541-73-1 | m-dichlorobenzene. | 106-93-4 | Ethylene dibromide. |
| 107-88-0 | 1,3-butylene glycol. | 95-50-1 | o-dichlorobenzene. | 107-21-1 | Ethylene glycol. |
| 123-72-8 | n-butyraldehyde. | 106-46-7 | p-dichlorobenzene. | 111-55-7 | Ethylene glycol diacetate. |
| 107-92-6 | Butyric acid. | 75-71-8 | Dichlorodifluoromethane. | 110-71-4 | Ethylene glycol dimethyl ether |
| 106-31-0 | Butyric anhydride. | 111-44-4 | Dichloroethyl ether. | 111-76-2 | Ethylene glycol monobutyl ether |
| 109-74-0 | Butyronitrile. | 107-06-2 | 1,2-dichloroethane (EDC). | 112-07-2 | Ethylene glycol monobutyl ether acetate. |
| 105-60-2 | Caprolactam. | 96-23-1 | Dichlorohydrin. | | |
| 75-1-50 | Carbon disulfide. | 26952-23-8 | Dichloropropene. | 110-80-5 | Ethylene glycol monoethyl ether |
| 558-13-4 | Carbon tetrabromide. | 101-83-7 | Dicyclohexylamine. | 111-15-9 | Ethylene glycol monethyl ether acetate. |
| 56-23-5 | Carbon tetrachloride. | 109-89-7 | Diethylamine. | | |
| 9004-35-7 | Cellulose acetate. | 111-46-6 | Diethylene glycol. | 109-86-4 | Ethylene glycol monomethyl ether. |
| 79-11-8 | Chloroacetic acid. | 112-36-7 | Diethylene glycol diethyl ether. | | |
| 108-42-9 | m-chloroaniline. | 111-96-6 | Diethylene glycol dimethyl ether. | 110-49-6 | Ethylene glycol monomethyl ether acetate. |
| 95-51-2 | o-chloroaniline. | | Diethylene glycol monobutyl ether. | 122-99-6 | Ethylene glycol monophenyl ether. |
| 106-47-8 | p-chloroaniline. | 112-34-5 | Diethylene glycol monobutyl ether acetate. | 2807-30-9 | Ethylene glycol monopropyl ether. |
| 35913-09-8 | Chlorobenzaldehyde. | 124-17-7 | Diethylene glycol monoethyl ether. | 75-21-8 | Ethylene oxide. |
| 108-90-7 | Chlorobenzene. | | | 60-29-7 | Ethyl ether |
| 118-91-2, 535-80-8, 74-11- | Chlorobenzoic acid. | 111-90-0 | | | |

| CAS No. ^a | Chemical | CAS No. ^a | Chemical | CAS No. ^a | Chemical |
|----------------------|--|----------------------|---------------------------------|----------------------|---------------------------------------|
| 104-76-7 | 2-ethylhexanol. | 80-62-6 | Methyl methacrylate. | 139-02-6 | Sodium phenate. |
| 122-51-0 | Ethyl orthoformate. | 77-75-8 | Methylpentynol. | 110-44-1 | Sorbic acid. |
| 95-92-1 | Ethyl oxalate. | 98-83-9 | a-methylstyrene. | 100-42-5 | Styrene. |
| 41892-71-1 | Ethyl sodium oxalacetate. | 110-91-8 | Morpholine. | 110-15-6 | Succinic acid. |
| 50-00-0 | Formaldehyde. | 85-47-2 | a-naphthalene sulfonic acid. | 110-61-2 | Succinonitrile. |
| 75-12-7 | Formamide. | 120-18-3 | b-naphthalene sulfonic acid. | 121-57-3 | Sulfanilic acid. |
| 64-18-6 | Formic acid. | 90-15-3 | a-naphthol. | 126-33-0 | Sulfolane. |
| 110-17-8 | Fumaric acid. | 135-19-3 | b-naphthol. | 1401-55-4 | Tannic acid. |
| 98-01-1 | Furfural. | 75-98-9 | Neopentanoic acid. | 100-21-0 | Terephthalic acid. |
| 56-81-5 | Glycerol. | 88-74-4 | o-nitroaniline. | 79-34-5(c) | Tetrachloroethanes. |
| 26545-73-7 | Glycerol dichlorohydrin. | 100-01-6 | p-nitroaniline. | 117-08-8 | Tetrachlorophthalic anhydride. |
| 25791-96-2 | Glycerol triether. | 91-23-6 | o-nitroanisole. | 78-00-2 | Tetraethyl lead. |
| 56-40-6 | Glycine. | 100-17-4 | p-nitroanisole. | 119-64-2 | Tetrahydronaphthalene. |
| 107-22-2 | Glyoxal. | 98-95-3 | Nitrobenzene. | 85-43-8 | Tetrahydrophthalic anhydride. |
| 118-74-1 | Hexachlorobenzene. | 27178-83-2(c) | Nitrobenzoic acid (o, m, and p) | 75-74-1 | Tetramethyl lead. |
| 67-72-1 | Hexachloroethane. | 79-24-3 | Nitroethane. | 110-60-1 | Tetramethylenediamine. |
| 36653-82-4 | Hexadecyl alcohol. | 75-52-5 | Nitromethane. | 110-18-9 | Tetramethylethylenediamine |
| 124-09-4 | Hexamethylenediamine. | 88-75-5 | 2-Nitrophenol. | 108-88-3 | Toluene. |
| 629-11-8 | Hexamethylene glycol. | 25322-01-4 | Nitropropane. | 95-80-7 | Toluene-2,4-diamine. |
| 100-97-0 | Hexamethylenetetramine. | 1321-12-6 | Nitrotoluene. | 584-84-9 | Toluene-2,4-diisocyanate. |
| 74-90-8 | Hydrogen cyanide. | 27215-95-8 | Nonene. | 26471-62-5 | Toluene diisocyanates (mixture) |
| 123-31-9 | Hydroquinone. | 25154-52-3 | Nonylphenol. | 1333-07-9 | Toluenesulfonamide. |
| 99-96-7 | p-hydroxybenzoic acid. | 27193-28-8 | Octylphenol. | 104-15-4(c) | Toluenesulfonic acids. |
| 26760-64-5 | Isoamylene. | 123-63-7 | Paraldehyde. | 98-59-9 | Toluenesulfonyl chloride. |
| 78-83-1 | Isobutanol. | 115-77-5 | Pentaerythritol. | 26915-12-8 | Toluidines. |
| 110-19-0 | Isobutyl acetate. | 109-66-0 | n-pentane. | 87-61-6, 108- | Trichlorobenzenes. |
| 115-11-7 | Isobutylene. | 109-67-1 | 1-pentene | 70-3, 120- | |
| 78-84-2 | Isobutyraldehyde. | 127-18-4 | Perchloroethylene. | 82-1(c) | |
| 79-31-2 | Isobutyric acid. | 594-42-3 | Perchloromethyl mercaptan. | 71-55-6 | 1,1,1-trichloroethane. |
| 25339-17-7 | Isodecanol. | 94-70-2 | o-phenetidine. | 79-00-5 | 1,1,2-trichloroethane. |
| 26952-21-6 | Isooctyl alcohol. | 156-43-4 | p-phenetidine. | 79-01-6 | Trichloroethylene. |
| 78-78-4 | Isopentane. | 108-95-2 | Phenol. | 75-69-4 | Trichlorofluoromethane. |
| 78-59-1 | Isophorone. | 98-67-9, 585- | Phenolsulfonic acids. | 96-18-4 | 1,2,3-trichloropropane. |
| 121-91-5 | Isophthalic acid. | 38-6, 609- | | 76-13-1 | 1,1,2-trichloro-1,2,2-trifluoroethane |
| 78-79-5 | Isoprene. | 46-1, 1333- | | | |
| 67-63-0 | Isopropanol. | 39-7(c) | | 121-44-8 | Triethylamine. |
| 108-21-4 | Isopropyl acetate. | 91-40-7 | Phenyl anthranilic acid. | 112-27-6 | Triethylene glycol. |
| 75-31-0 | Isopropylamine. | (b)..... | Phenylenediamine. | 112-49-2 | Triethylene glycol dimethyl ether |
| 75-29-6 | Isopropyl chloride. | 75-44-5 | Phosgene. | 7756-94-7 | Triisobutylene. |
| 25168-06-3 | Isopropylphenol. | 85-44-9 | Phthalic anhydride. | 75-50-3 | Trimethylamine. |
| 463-51-4 | Ketene. | 85-41-6 | Phthalimide. | 57-13-6 | Urea. |
| (b)..... | Linear alkyl sulfonate. | 108-99-6 | b-picoline. | 108-05-4 | Vinyl acetate. |
| 123-01-3 | Linear alkylbenzene (linear dodecylbenzene). | 110-85-0 | Piperazine. | 75-01-4 | Vinyl chloride. |
| | | 9003-29-6, | Polybutenes. | 75-35-4 | Vinylidene chloride. |
| 110-16-7 | Maleic acid. | 25036-29-7(c) | | 25013-15-4 | Vinyl toluene. |
| 108-31-6 | Maleic anhydride. | | | 1330-20-7 | Xylenes (mixed). |
| 6915-15-7 | Malic acid. | 25322-68-3 | Polyethylene glycol. | 95-47-6 | o-xylene. |
| 141-79-7 | Mesityl oxide. | 25322-69-4 | Polypropylene glycol. | 106-42-3 | p-xylene. |
| 121-47-1 | Metanilic acid. | 123-38-6 | Propionaldehyde. | 1300-71-6 | Xylenol. |
| 79-41-4 | Methacrylic acid. | 79-09-4 | Propionic acid. | 1300-73-8 | Xylidine. |
| 563-47-3 | Methallyl chloride. | 71-23-8 | n-propyl alcohol. | | |
| 67-56-1 | Methanol. | 107-10-8 | Propylamine. | | |
| 79-20-9 | Methyl acetate. | 540-54-5 | Propyl chloride. | | |
| 105-45-3 | Methyl acetoacetate. | 115-07-1 | Propylene. | | |
| 74-89-5 | Methylamine. | 127-00-4 | Propylene chlorohydrin. | | |
| 100-61-8 | n-methylaniline. | 78-87-5 | Propylene dichloride. | | |
| 74-83-9 | Methyl bromide. | 57-55-6 | Propylene glycol. | | |
| 37365-71-2 | Methyl butanol. | 75-56-9 | Propylene oxide. | | |
| 74-87-3 | Methyl chloride. | 110-86-1 | Pyridine. | | |
| 108-87-2 | Methylcyclohexane. | 106-51-4 | Quinone. | | |
| 1331-22-2 | Methylcyclohexanone. | 108-46-3 | Resorcinol. | | |
| 75-09-2 | Methylene chloride. | 27138-57-4 | Resorcylic acid. | | |
| 101-77-9 | Methylene dianiline. | 69-72-7 | Salicylic acid. | | |
| 101-68-8 | Methylene diphenyl deisocyanate | 127-09-3 | Sodium acetate. | | |
| 78-93-3 | Methyl ethyl ketone. | 532-32-1 | Sodium benzoate. | | |
| 107-31-3 | Methyl formate. | 9004-32-4 | Sodium carboxymethyl cellulose | | |
| 108-11-2 | Methyl isobutyl carbinol. | 3926-62-3 | Sodium chloroacetate. | | |
| 108-10-1 | Methyl isobutyl ketone. | 141-53-7 | Sodium formate. | | |

(a) CAS numbers refer to the Chemical Abstracts Registry numbers assigned to specific chemicals, isomers, or mixtures of chemicals. Some isomers or mixtures that are covered by the standards do not have CAS numbers assigned to them. The standards apply to all of the chemicals listed, whether CAS numbers have been assigned or not.

(b) No CAS number(s) have been assigned to this chemical, its isomers, or mixtures containing these chemicals.

(c) CAS numbers for some of the isomers are listed; the standards apply to all of the isomers and mixtures, even if CAS numbers have not been assigned.

[48 FR 48335, Oct. 18, 1983, as amended at 65 FR 61763, Oct. 17, 2000

APPENDIX E

40 CFR 60 SUBPART QQQ

Subpart QQQ-Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems

Source: 53 FR 47623, Nov. 23, 1988, unless otherwise noted.

§ 60.690 Applicability and designation of affected facility.

(a)(1) The provisions of this subpart apply to affected facilities located in petroleum refineries for which construction, modification, or reconstruction is commenced after May 4, 1987.

(2) An individual drain system is a separate affected facility.

(3) An oil-water separator is a separate affected facility.

(4) An aggregate facility is a separate affected facility.

(b) Notwithstanding the provisions of 40 CFR 60.14(e)(2), the construction or installation of a new individual drain system shall constitute a modification to an affected facility described in §60.690(a)(4). For purposes of this paragraph, a new individual drain system shall be limited to all process drains and the first common junction box.

§ 60.691 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act or in subpart A of 40 CFR part 60, and the following terms shall have the specific meanings given them.

Active service means that a drain is receiving refinery wastewater from a process unit that will continuously maintain a water seal.

Aggregate facility means an individual drain system together with ancillary downstream sewer lines and oil-water separators, down to and including the secondary oil-water separator, as applicable.

Catch basin means an open basin which serves as a single collection point for stormwater runoff received directly from refinery surfaces and for refinery wastewater from process drains.

Closed vent system means a system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow-inducing devices that transport gas or vapor from an emission source to a control device. If gas or vapor from regulated equipment are routed to a process (e.g., to a petroleum refinery fuel gas system), the process shall not be considered a closed vent system and is not subject to the closed vent system standards.

Completely closed drain system means an individual drain system that is not open to the atmosphere and is equipped and operated with a closed vent system and control device complying with the requirements of § 60.692-5.

Control device means an enclosed combustion device, vapor recovery system, or flare.

Fixed roof means a cover that is mounted to a tank or chamber in a stationary manner and

which does not move with fluctuations in wastewater levels.

Floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface.

Gas-tight means operated with no detectable emissions.

Individual drain system means all process drains connected to the first common downstream junction box. The term includes all such drains and common junction box, together with their associated sewer lines and other junction boxes, down to the receiving oil-water separator.

Junction box means a manhole or access point to a wastewater sewer system line.

No detectable emissions means less than 500 ppm above background levels, as measured by a detection instrument in accordance with Method 21 in appendix A of 40 CFR part 60.

Non-contact cooling water system means a once-through drain, collection and treatment system designed and operated for collecting cooling water which does not come into contact with hydrocarbons or oily wastewater and which is not recirculated through a cooling tower.

Oil-water separator means wastewater treatment equipment used to separate oil from water consisting of a separation tank, which also includes the forebay and other separator basins, skimmers, weirs, grit chambers, and sludge hoppers. Slop oil facilities, including tanks, are included in this term along with storage vessels and auxiliary equipment located between individual drain systems and the oil-water separator. This term does not include storage vessels or auxiliary equipment which do not come in contact with or store oily wastewater.

Oily wastewater means wastewater generated during the refinery process which contains oil, emulsified oil, or other hydrocarbons. Oily wastewater originates from a variety of refinery processes including cooling water, condensed stripping steam, tank draw-off, and contact process water.

Petroleum means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

Petroleum refinery means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through the distillation of petroleum, or through the redistillation of petroleum, cracking, or reforming unfinished petroleum derivatives.

Sewer line means a lateral, trunk line, branch line, ditch, channel, or other conduit used to convey refinery wastewater to downstream components of a refinery wastewater treatment system. This term does not include buried, below-grade sewer lines.

Slop oil means the floating oil and solids that accumulate on the surface of an oil-water separator.

Storage vessel means any tank, reservoir, or container used for the storage of petroleum liquids, including oily wastewater.

Stormwater sewer system means a drain and collection system designed and operated for the sole purpose of collecting stormwater and which is segregated from the process wastewater collection system.

Wastewater system means any component, piece of equipment, or installation that receives, treats, or processes oily wastewater from petroleum refinery process units.

Water seal controls means a seal pot, p-leg trap, or other type of trap filled with water that has a design capability to create a water barrier between the sewer and the atmosphere.

[53 FR 47623, Nov. 23, 1985, as amended at 60 FR 43259, Aug. 18, 1995]

§ 60.692-1 Standards: General.

(a) Each owner or operator subject to the provisions of this subpart shall comply with the requirements of §60.692-1 to 60.692-5 and with §60.693-1 and 60.693-2, except during periods of startup, shutdown, or malfunction.

(b) Compliance with §60.692-1 to 60.692-5 and with §60.693-1 and 60.693-2 will be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in §60.696.

(c) Permission to use alternative means of emission limitation to meet the requirements of §60.692-2 through 60.692-4 may be granted as provided in §60.694.

(d)(1) Stormwater sewer systems are not subject to the requirements of this subpart.

(2) Ancillary equipment, which is physically separate from the wastewater system and does not come in contact with or store oily wastewater, is not subject to the requirements of this subpart.

(3) Non-contact cooling water systems are not subject to the requirements of this subpart.

(4) An owner or operator shall demonstrate compliance with the exclusions in paragraphs (d)(1), (2), and (3) of this section as provided in §60.697 (h), (i), and (j).

§ 60.692-2 Standards: Individual drain systems.

(a)(1) Each drain shall be equipped with water seal controls.

(2) Each drain in active service shall be checked by visual or physical inspection initially and monthly thereafter for indications of low water levels or other conditions that would reduce the effectiveness of the water seal controls.

(3) Except as provided in paragraph (a)(4) of this section, each drain out of active service

shall be checked by visual or physical inspection initially and weekly thereafter for indications of low water levels or other problems that could result in VOC emissions.

(4) As an alternative to the requirements in paragraph (a)(3) of this section, if an owner or operator elects to install a tightly sealed cap or plug over a drain that is out of service, inspections shall be conducted initially and semiannually to ensure caps or plugs are in place and properly installed.

(5) Whenever low water levels or missing or improperly installed caps or plugs are identified, water shall be added or first efforts at repair shall be made as soon as practicable, but not later than 24 hours after detection, except as provided in §60.692-6.

(b)(1) Junction boxes shall be equipped with a cover and may have an open vent pipe. The vent pipe shall be at least 90 cm (3 ft) in length and shall not exceed 10.2 cm (4 in) in diameter.

(2) Junction box covers shall have a tight seal around the edge and shall be kept in place at all times, except during inspection and maintenance.

(3) Junction boxes shall be visually inspected initially and semiannually thereafter to ensure that the cover is in place and to ensure that the cover has a tight seal around the edge.

(4) If a broken seal or gap is identified, first effort at repair shall be made as soon as practicable, but not later than 15 calendar days after the broken seal or gap is identified, except as provided in §60.692-6.

(c)(1) Sewer lines shall not be open to the atmosphere and shall be covered or enclosed in a manner so as to have no visual gaps or cracks in joints, seals, or other emission interfaces.

(2) The portion of each unburied sewer line shall be visually inspected initially and semiannually thereafter for indication of cracks, gaps, or other problems that could result in VOC emissions.

(3) Whenever cracks, gaps, or other problems are detected, repairs shall be made as soon as practicable, but not later than 15 calendar days after identification, except as provided in §60.692-6.

(d) Except as provided in paragraph (c) of this section, each modified or reconstructed individual drain system that has a catch basin in the existing configuration prior to May 4, 1987 shall be exempt from the provisions of this section.

(e) Refinery wastewater routed through new process drains and a new first common downstream junction box, either as part of a new individual drain system or an existing individual drain system, shall not be routed through a downstream catch basin.

§ 60.692-3 Standards: Oil-water separators.

(a) Each oil-water separator tank, slop oil tank, storage vessel, or other auxiliary equipment subject to the requirements of this subpart

shall be equipped and operated with a fixed roof, which meets the following specifications, except as provided in paragraph (d) of this section or in § 60.693-2.

(1) The fixed roof shall be installed to completely cover the separator tank, slop oil tank, storage vessel, or other auxiliary equipment with no separation between the roof and the wall.

(2) The vapor space under a fixed roof shall not be purged unless the vapor is directed to a control device.

(3) If the roof has access doors or openings, such doors or openings shall be gasketed, latched, and kept closed at all times during operation of the separator system, except during inspection and maintenance.

(4) Roof seals, access doors, and other openings shall be checked by visual inspection initially and semiannually thereafter to ensure that no cracks or gaps occur between the roof and wall and that access doors and other openings are closed and gasketed properly.

(5) When a broken seal or gasket or other problem is identified, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after it is identified, except as provided in § 60.692-6.

(b) Each oil-water separator tank or auxiliary equipment with a design capacity to treat more than 16 liters per second (250 gallons per minute (gpm)) of refinery wastewater shall, in addition to the requirements in paragraph (a) of this section, be equipped and operated with a closed vent system and control device, which meet the requirements of § 60.692-5, except as provided in paragraph (c) of this section or in § 60.693-2.

(c)(1) Each modified or reconstructed oil-water separator tank with a maximum design capacity to treat less than 38 liters per second (600 gpm) of refinery wastewater which was equipped and operated with a fixed roof covering the entire separator tank or a portion of the separator tank prior to May 4, 1987 shall be exempt from the requirements of paragraph (b) of this section, but shall meet the requirements of paragraph (a) of this section, or may elect to comply with paragraph (c)(2) of this section.

(2) The owner or operator may elect to comply with the requirements of paragraph (a) of this section for the existing fixed roof covering a portion of the separator tank and comply with the requirements for floating roofs in § 60.693-2 for the remainder of the separator tank.

(d) Storage vessels, including slop oil tanks and other auxiliary tanks that are subject to the standards in §§ 60.112, 60.112a, and 60.112b and associated requirements, 40 CFR part 60, subparts K, Ka, or Kb are not subject to the requirements of this section.

(e) Slop oil from an oil-water separator tank and oily wastewater from slop oil handling equipment shall be collected, stored, transported, recycled, reused, or disposed of in

an enclosed system. Once slop oil is returned to the process unit or is disposed of, it is no longer within the scope of this subpart.

Equipment used in handling slop oil shall be equipped with a fixed roof meeting the requirements of paragraph (a) of this section.

(f) Each oil-water separator tank, slop oil tank, storage vessel, or other auxiliary equipment that is required to comply with paragraph (a) of this section, and not paragraph (b) of this section, may be equipped with a pressure control valve as necessary for proper system operation. The pressure control valve shall be set at the maximum pressure necessary for proper system operation, but such that the valve will not vent continuously.

[53 FR 47623, Nov. 23, 1985, as amended at 60 FR 43259, Aug. 18, 1995; 65 FR 61778, Oct. 17, 2000]

§ 60.692-4 Standards: Aggregate facility.

A new, modified, or reconstructed aggregate facility shall comply with the requirements of §60.692-2 and 60.692-3.

§ 60.692-5 Standards: Closed vent systems and control devices.

(a) Enclosed combustion devices shall be designed and operated to reduce the VOC emissions vented to them with an efficiency of 95 percent or greater or to provide a minimum residence time of 0.75 seconds at a minimum temperature of 816°C (1,500°F).

(b) Vapor recovery systems (for example, condensers and adsorbers) shall be designed and operated to recover the VOC emissions vented to them with an efficiency of 95 percent or greater.

(c) Flares used to comply with this subpart shall comply with the requirements of 40 CFR 60.18.

(d) Closed vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(e)(1) Closed vent systems shall be designed and operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as determined during the initial and semiannual inspections by the methods specified in §60.696.

(2) Closed vent systems shall be purged to direct vapor to the control device.

(3) A flow indicator shall be installed on a vent stream to a control device to ensure that the vapors are being routed to the device.

(4) All gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place.

(5) When emissions from a closed system are detected, first efforts at repair to eliminate the emissions shall be made as soon as practicable, but not later than 30 calendar days from the date the emissions are detected, except as provided in §60.692-6.

§ 60.692-6 Standards: Delay of repair.

(a) Delay of repair of facilities that are subject to the provisions of this subpart will be allowed if the repair is technically impossible without a complete or partial refinery or process unit shutdown.

(b) Repair of such equipment shall occur before the end of the next refinery or process unit shutdown.

§ 60.692-7 Standards: Delay of compliance.

(a) Delay of compliance of modified individual drain systems with ancillary downstream treatment components will be allowed if compliance with the provisions of this subpart cannot be achieved without a refinery or process unit shutdown.

(b) Installation of equipment necessary to comply with the provisions of this subpart shall occur no later than the next scheduled refinery or process unit shutdown.

§ 60.693-1 Alternative standards for individual drain systems.

(a) An owner or operator may elect to construct and operate a completely closed drain system.

(b) Each completely closed drain system shall be equipped and operated with a closed vent system and control device complying with the requirements of §60.692-5.

(c) An owner or operator must notify the Administrator in the report required in 40 CFR part 60.7 that the owner or operator has elected to construct and operate a completely closed drain system.

(d) If an owner or operator elects to comply with the provisions of this section, then the owner or operator does not need to comply with the provisions of §60.692-2 or §60.694.

(e)(1) Sewer lines shall not be open to the atmosphere and shall be covered or enclosed in a manner so as to have no visual gaps or cracks in joints, seals, or other emission interfaces.

(2) The portion of each unburied sewer line shall be visually inspected initially and semiannually thereafter for indication of cracks, gaps, or other problems that could result in VOC emissions.

(3) Whenever cracks, gaps, or other problems are detected, repairs shall be made as soon as practicable, but not later than 15 calendar days after identification, except as provided in §60.692-6.

§ 60.693-2 Alternative standards for oil-water separators.

(a) An owner or operator may elect to construct and operate a floating roof on an oil-water separator tank, slop oil tank, storage vessel, or other auxiliary equipment subject to the requirements of this subpart which meets the following specifications.

(1) Each floating roof shall be equipped with a closure device between the wall of the separator and the roof edge. The closure

device is to consist of a primary seal and a secondary seal.

(i) The primary seal shall be a liquid-mounted seal or a mechanical shoe seal.

(A) A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the separator and the floating roof. A mechanical shoe seal means a metal sheet held vertically against the wall of the separator by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

(B) The gap width between the primary seal and the separator wall shall not exceed 3.8 cm (1.5 in.) at any point.

(C) The total gap area between the primary seal and the separator wall shall not exceed 67 cm²/m (3.2 in.²/ft) of separator wall perimeter.

(ii) The secondary seal shall be above the primary seal and cover the annular space between the floating roof and the wall of the separator.

(A) The gap width between the secondary seal and the separator wall shall not exceed 1.3 cm (0.5 in.) at any point.

(B) The total gap area between the secondary seal and the separator wall shall not exceed 6.7 cm²/m (0.32 in.²/ft) of separator wall perimeter.

(iii) The maximum gap width and total gap area shall be determined by the methods and procedures specified in § 60.696(d).

(A) Measurement of primary seal gaps shall be performed within 60 calendar days after initial installation of the floating roof and introduction of refinery wastewater and once every 5 years thereafter.

(B) Measurement of secondary seal gaps shall be performed within 60 calendar days of initial introduction of refinery wastewater and once every year thereafter.

(iv) The owner or operator shall make necessary repairs within 30 calendar days of identification of seals not meeting the requirements listed in paragraphs (a)(1) (i) and (ii) of this section.

(2) Except as provided in paragraph (a)(4) of this section, each opening in the roof shall be equipped with a gasketed cover, seal, or lid, which shall be maintained in a closed position at all times, except during inspection and maintenance.

(3) The roof shall be floating on the liquid (i.e., off the roof supports) at all times except during abnormal conditions (i.e., low flow rate).

(4) The floating roof may be equipped with one or more emergency roof drains for removal of stormwater. Each emergency roof drain shall be fitted with a slotted membrane fabric cover that covers at least 90 percent of the drain opening area or a flexible fabric sleeve seal.

(5)(i) Access doors and other openings shall be visually inspected initially and semiannually thereafter to ensure that there is a tight fit around the edges and to identify other problems that could result in VOC emissions.

(ii) When a broken seal or gasket on an access door or other opening is identified, it shall be repaired as soon as practicable, but not later than 30 calendar days after it is identified, except as provided in § 60.692-6.

(b) An owner or operator must notify the Administrator in the report required by 40 CFR 60.7 that the owner or operator has elected to construct and operate a floating roof under paragraph (a) of this section.

(c) For portions of the oil-water separator tank where it is infeasible to construct and operate a floating roof, such as the skimmer mechanism and weirs, a fixed roof meeting the requirements of § 60.692-3(a) shall be installed.

(d) Except as provided in paragraph (c) of this section, if an owner or operator elects to comply with the provisions of this section, then the owner or operator does not need to comply with the provisions of §§ 60.692-3 or 60.694 applicable to the same facilities.

[53 FR 47623, Nov. 23, 1985, as amended at 60 FR 43259, Aug. 18, 1995]

§ 60.694 Permission to use alternative means of emission limitation.

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in VOC emissions at least equivalent to the reduction in VOC emissions achieved by the applicable requirement in §60.692, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with that requirement. The notice may condition the permission on requirements related to the operation and maintenance of the alternative means.

(b) Any notice under paragraph (a) of this section shall be published only after notice and an opportunity for a hearing.

(c) Any person seeking permission under this section shall collect, verify, and submit to the Administrator information showing that the alternative means achieves equivalent emission reductions.

§ 60.695 Monitoring of operations.

(a) Each owner or operator subject to the provisions of this subpart shall install, calibrate, maintain, and operate according to manufacturer's specifications the following equipment, unless alternative monitoring procedures or requirements are approved for that facility by the Administrator.

(1) Where a thermal incinerator is used for VOC emission reduction, a temperature monitoring device equipped with a continuous recorder shall be used to measure the temperature of the gas stream in the combustion zone of the incinerator. The temperature monitoring device shall have an

accuracy of ± 1 percent of the temperature being measured, expressed in $^{\circ}\text{C}$, or ± 0.5 $^{\circ}\text{C}$ (0.9 $^{\circ}\text{F}$), whichever is greater.

(2) Where a catalytic incinerator is used for VOC emission reduction, temperature monitoring devices, each equipped with a continuous recorder shall be used to measure the temperature in the gas stream immediately before and after the catalyst bed of the incinerator. The temperature monitoring devices shall have an accuracy of ± 1 percent of the temperature being measured, expressed in $^{\circ}\text{C}$, or ± 0.5 $^{\circ}\text{C}$ (0.9 $^{\circ}\text{F}$), whichever is greater.

(3) Where a carbon adsorber is used for VOC emissions reduction, a monitoring device that continuously indicates and records the VOC concentration level or reading of organics in the exhaust gases of the control device outlet gas stream or inlet and outlet gas stream shall be used.

(i) For a carbon adsorption system that regenerates the carbon bed directly onsite, a monitoring device that continuously indicates and records the volatile organic compound concentration level or reading of organics in the exhaust gases of the control device outlet gas stream or inlet and outlet gas stream shall be used.

(ii) For a carbon adsorption system that does not regenerate the carbon bed directly onsite in the control device (e.g., a carbon canister), the concentration level of the organic compounds in the exhaust vent stream from the carbon adsorption system shall be monitored on a regular schedule, and the existing carbon shall be replaced with fresh carbon immediately when carbon breakthrough is indicated. The device shall be monitored on a daily basis or at intervals no greater than 20 percent of the design carbon replacement interval, whichever is greater. As an alternative to conducting this monitoring, an owner or operator may replace the carbon in the carbon adsorption system with fresh carbon at a regular predetermined time interval that is less than the carbon replacement interval that is determined by the maximum design flow rate and organic concentration in the gas stream vented to the carbon adsorption system.

(4) Where a flare is used for VOC emission reduction, the owner or operator shall comply with the monitoring requirements of 40 CFR 60.18(f)(2).

(b) Where a VOC recovery device other than a carbon adsorber is used to meet the requirements specified in \S 60.692-5(a), the owner or operator shall provide to the Administrator information describing the operation of the control device and the process parameter(s) that would indicate proper operation and maintenance of the device. The Administrator may request further information and will specify appropriate monitoring procedures or requirements.

(c) An alternative operational or process parameter may be monitored if it can be demonstrated that another parameter will

ensure that the control device is operated in conformance with these standards and the control device's design specifications.

[53 FR 47623, Nov. 23, 1985, as amended at 60 FR 43259, Aug. 18, 1995; 65 FR 61778, Oct. 17, 2000]

\S 60.696 Performance test methods and procedures and compliance provisions.

(a) Before using any equipment installed in compliance with the requirements of \S 60.692-2, \S 60.692-3, \S 60.692-4, \S 60.692-5, or \S 60.693, the owner or operator shall inspect such equipment for indications of potential emissions, defects, or other problems that may cause the requirements of this subpart not to be met. Points of inspection shall include, but are not limited to, seals, flanges, joints, gaskets, hatches, caps, and plugs.

(b) The owner or operator of each source that is equipped with a closed vent system and control device as required in \S 60.692-5 (other than a flare) is exempt from \S 60.8 of the General Provisions and shall use Method 21 to measure the emission concentrations, using 500 ppm as the no detectable emission limit. The instrument shall be calibrated each day before using. The calibration gases shall be:

(1) Zero air (less than 10 ppm of hydrocarbon in air), and

(2) A mixture of either methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.

(c) The owner or operator shall conduct a performance test initially, and at other times as requested by the Administrator, using the test methods and procedures in \S 60.18(f) to determine compliance of flares.

(d) After installing the control equipment required to meet \S 60.693-2(a) or whenever sources that have ceased to treat refinery wastewater for a period of 1 year or more are placed back into service, the owner or operator shall determine compliance with the standards in \S 60.693-2(a) as follows:

(1) The maximum gap widths and maximum gap areas between the primary seal and the separator wall and between the secondary seal and the separator wall shall be determined individually within 60 calendar days of the initial installation of the floating roof and introduction of refinery wastewater or 60 calendar days after the equipment is placed back into service using the following procedure when the separator is filled to the design operating level and when the roof is floating off the roof supports.

(i) Measure seal gaps around the entire perimeter of the separator in each place where a 0.32 cm (0.125 in.) diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the separator and measure the gap width and perimetrical distance of each such location.

(ii) The total surface area of each gap described in (d)(1)(i) of this section shall be

determined by using probes of various widths to measure accurately the actual distance from the wall to the seal and multiplying each such width by its respective perimetrical distance.

(iii) Add the gap surface area of each gap location for the primary seal and the secondary seal individually, divide the sum for each seal by the nominal perimeter of the separator basin and compare each to the maximum gap area as specified in \S 60.693-2.

(2) The gap widths and total gap area shall be determined using the procedure in paragraph (d)(1) of this section according to the following frequency:

(i) For primary seals, once every 5 years.

(ii) For secondary seals, once every year.

\S 60.697 Recordkeeping requirements.

(a) Each owner or operator of a facility subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section. All records shall be retained for a period of 2 years after being recorded unless otherwise noted.

(b)(1) For individual drain systems subject to \S 60.692-2, the location, date, and corrective action shall be recorded for each drain when the water seal is dry or otherwise breached, when a drain cap or plug is missing or improperly installed, or other problem is identified that could result in VOC emissions, as determined during the initial and periodic visual or physical inspection.

(2) For junction boxes subject to \S 60.692-2, the location, date, and corrective action shall be recorded for inspections required by \S 60.692-2(b) when a broken seal, gap, or other problem is identified that could result in VOC emissions.

(3) For sewer lines subject to \S 60.692-2 and 60.693-1(e), the location, date, and corrective action shall be recorded for inspections required by \S 60.692-2(c) and 60.693-1(e) when a problem is identified that could result in VOC emissions.

(c) For oil-water separators subject to \S 60.692-3, the location, date, and corrective action shall be recorded for inspections required by \S 60.692-3(a) when a problem is identified that could result in VOC emissions.

(d) For closed vent systems subject to \S 60.692-5 and completely closed drain systems subject to \S 60.693-1, the location, date, and corrective action shall be recorded for inspections required by \S 60.692-5(e) during which detectable emissions are measured or a problem is identified that could result in VOC emissions.

(e)(1) If an emission point cannot be repaired or corrected without a process unit shutdown, the expected date of a successful repair shall be recorded.

(2) The reason for the delay as specified in \S 60.692-6 shall be recorded if an emission point or equipment problem is not repaired or corrected in the specified amount of time.

(3) The signature of the owner or operator (or designee) whose decision it was that repair could not be effected without refinery or process shutdown shall be recorded.

(4) The date of successful repair or corrective action shall be recorded.

(f)(1) A copy of the design specifications for all equipment used to comply with the provisions of this subpart shall be kept for the life of the source in a readily accessible location.

(2) The following information pertaining to the design specifications shall be kept.

(i) Detailed schematics, and piping and instrumentation diagrams.

(ii) The dates and descriptions of any changes in the design specifications.

(3) The following information pertaining to the operation and maintenance of closed drain systems and closed vent systems shall be kept in a readily accessible location.

(i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions shall be kept for the life of the facility. This documentation is to include a general description of the gas streams that enter the control device, including flow and volatile organic compound content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C (1,500 °F) is used to meet the 95-percent requirement, documentation that those conditions exist is sufficient to meet the requirements of this paragraph.

(ii) For a carbon adsorption system that does not regenerate the carbon bed directly onsite in the control device such as a carbon canister, the design analysis shall consider the vent stream composition, constituent concentrations, flow rate, relative humidity, and temperature. The design analysis shall also establish the design exhaust vent stream organic compound concentration level, capacity of carbon bed, type and working capacity of activated carbon used for carbon bed, and design carbon replacement interval based on the total carbon working capacity of the control device and source operating schedule.

(iii) Periods when the closed vent systems and control devices required in § 60.692 are not operated as designed, including periods when a flare pilot does not have a flame shall be recorded and kept for 2 years after the information is recorded.

(iv) Dates of startup and shutdown of the closed vent system and control devices required in § 60.692 shall be recorded and kept for 2 years after the information is recorded.

(v) The dates of each measurement of detectable emissions required in §§ 60.692,

60.693, or 60.692-5 shall be recorded and kept for 2 years after the information is recorded.

(vi) The background level measured during each detectable emissions measurement shall be recorded and kept for 2 years after the information is recorded.

(vii) The maximum instrument reading measured during each detectable emission measurement shall be recorded and kept for 2 years after the information is recorded.

(viii) Each owner or operator of an affected facility that uses a thermal incinerator shall maintain continuous records of the temperature of the gas stream in the combustion zone of the incinerator and records of all 3-hour periods of operation during which the average temperature of the gas stream in the combustion zone is more than 28 °C (50 °F) below the design combustion zone temperature, and shall keep such records for 2 years after the information is recorded.

(ix) Each owner or operator of an affected facility that uses a catalytic incinerator shall maintain continuous records of the temperature of the gas stream both upstream and downstream of the catalyst bed of the incinerator, records of all 3-hour periods of operation during which the average temperature measured before the catalyst bed is more than 28 °C (50 °F) below the design gas stream temperature, and records of all 3-hour periods during which the average temperature difference across the catalyst bed is less than 80 percent of the design temperature difference, and shall keep such records for 2 years after the information is recorded.

(x) Each owner or operator of an affected facility that uses a carbon adsorber shall maintain continuous records of the VOC concentration level or reading of organics of the control device outlet gas stream or inlet and outlet gas stream and records of all 3-hour periods of operation during which the average VOC concentration level or reading of organics in the exhaust gases, or inlet and outlet gas stream, is more than 20 percent greater than the design exhaust gas concentration level, and shall keep such records for 2 years after the information is recorded.

(A) Each owner or operator of an affected facility that uses a carbon adsorber which is regenerated directly onsite shall maintain continuous records of the volatile organic compound concentration level or reading of organics of the control device outlet gas stream or inlet and outlet gas stream and records of all 3-hour periods of operation during which the average volatile organic compound concentration level or reading of organics in the exhaust gases, or inlet and outlet gas stream, is more than 20 percent greater than the design exhaust gas concentration level, and shall keep such records for 2 years after the information is recorded.

(B) If a carbon adsorber that is not regenerated directly onsite in the control device is used,

then the owner or operator shall maintain records of dates and times when the control device is monitored, when breakthrough is measured, and shall record the date and time that the existing carbon in the control device is replaced with fresh carbon.

(g) If an owner or operator elects to install a tightly sealed cap or plug over a drain that is out of active service, the owner or operator shall keep for the life of a facility in a readily accessible location, plans or specifications which indicate the location of such drains.

(h) For stormwater sewer systems subject to the exclusion in § 60.692-1(d)(1), an owner or operator shall keep for the life of the facility in a readily accessible location, plans or specifications which demonstrate that no wastewater from any process units or equipment is directly discharged to the stormwater sewer system.

(i) For ancillary equipment subject to the exclusion in § 60.692-1(d)(2), an owner or operator shall keep for the life of a facility in a readily accessible location, plans or specifications which demonstrate that the ancillary equipment does not come in contact with or store oily wastewater.

(j) For non-contact cooling water systems subject to the exclusion in § 60.692-1(d)(3), an owner or operator shall keep for the life of the facility in a readily accessible location, plans or specifications which demonstrate that the cooling water does not contact hydrocarbons or oily wastewater and is not recirculated through a cooling tower.

(k) For oil-water separators subject to § 60.693-2, the location, date, and corrective action shall be recorded for inspections required by §§ 60.693-2(a)(1)(iii)(A) and (B), and shall be maintained for the time period specified in paragraphs (k)(1) and (2) of this section.

(1) For inspections required by § 60.693-2(a)(1)(iii)(A), ten years after the information is recorded.

(2) For inspections required by § 60.693-2(a)(1)(iii)(B), two years after the information is recorded.

[53 FR 47623, Nov. 23, 1985, as amended at 60 FR 43259, Aug. 18, 1995; 65 FR 61778, Oct. 17, 2000]

§ 60.698 Reporting requirements.

(a) An owner or operator electing to comply with the provisions of § 60.693 shall notify the Administrator of the alternative standard selected in the report required in § 60.7.

(b)(1) Each owner or operator of a facility subject to this subpart shall submit to the Administrator within 60 days after initial startup a certification that the equipment necessary to comply with these standards has been installed and that the required initial inspections or tests of process drains, sewer lines, junction boxes, oil-water separators, and closed vent systems and control devices have been carried out in accordance with these

standards. Thereafter, the owner or operator shall submit to the Administrator semiannually a certification that all of the required inspections have been carried out in accordance with these standards.

(2) Each owner or operator of an affected facility that uses a flare shall submit to the Administrator within 60 days after initial startup, as required under § 60.8(a), a report of the results of the performance test required in § 60.696(c).

(c) A report that summarizes all inspections when a water seal was dry or otherwise breached, when a drain cap or plug was missing or improperly installed, or when cracks, gaps, or other problems were identified that could result in VOC emissions, including information about the repairs or corrective action taken, shall be submitted initially and semiannually thereafter to the Administrator.

(d) As applicable, a report shall be submitted semiannually to the Administrator that indicates:

(1) Each 3-hour period of operation during which the average temperature of the gas stream in the combustion zone of a thermal incinerator, as measured by the temperature monitoring device, is more than 28 °C (50 °F) below the design combustion zone temperature,

(2) Each 3-hour period of operation during which the average temperature of the gas stream immediately before the catalyst bed of a catalytic incinerator, as measured by the temperature monitoring device, is more than 28 °C (50 °F) below the design gas stream temperature, and any 3-hour period during which the average temperature difference across the catalyst bed (i.e., the difference between the temperatures of the gas stream immediately before and after the catalyst bed), as measured by the temperature monitoring device, is less than 80 percent of the design temperature difference, or,

(3) Each 3-hour period of operation during which the average VOC concentration level or reading of organics in the exhaust gases from a carbon adsorber is more than 20 percent greater than the design exhaust gas concentration level or reading.

(i) Each 3-hour period of operation during which the average volatile organic compound concentration level or reading of organics in the exhaust gases from a carbon adsorber which is regenerated directly onsite is more than 20 percent greater than the design exhaust gas concentration level or reading.

(ii) Each occurrence when the carbon in a carbon adsorber system that is not regenerated directly onsite in the control device is not

replaced at the predetermined interval specified in § 60.695(a)(3)(ii).

(e) If compliance with the provisions of this subpart is delayed pursuant to § 60.692-7, the notification required under 40 CFR 60.7(a)(4) shall include the estimated date of the next scheduled refinery or process unit shutdown after the date of notification and the reason why compliance with the standards is technically impossible without a refinery or process unit shutdown.

[53 FR 47623, Nov. 23, 1985, as amended at 60 FR 43260, Aug. 18, 1995]

§ 60.699 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

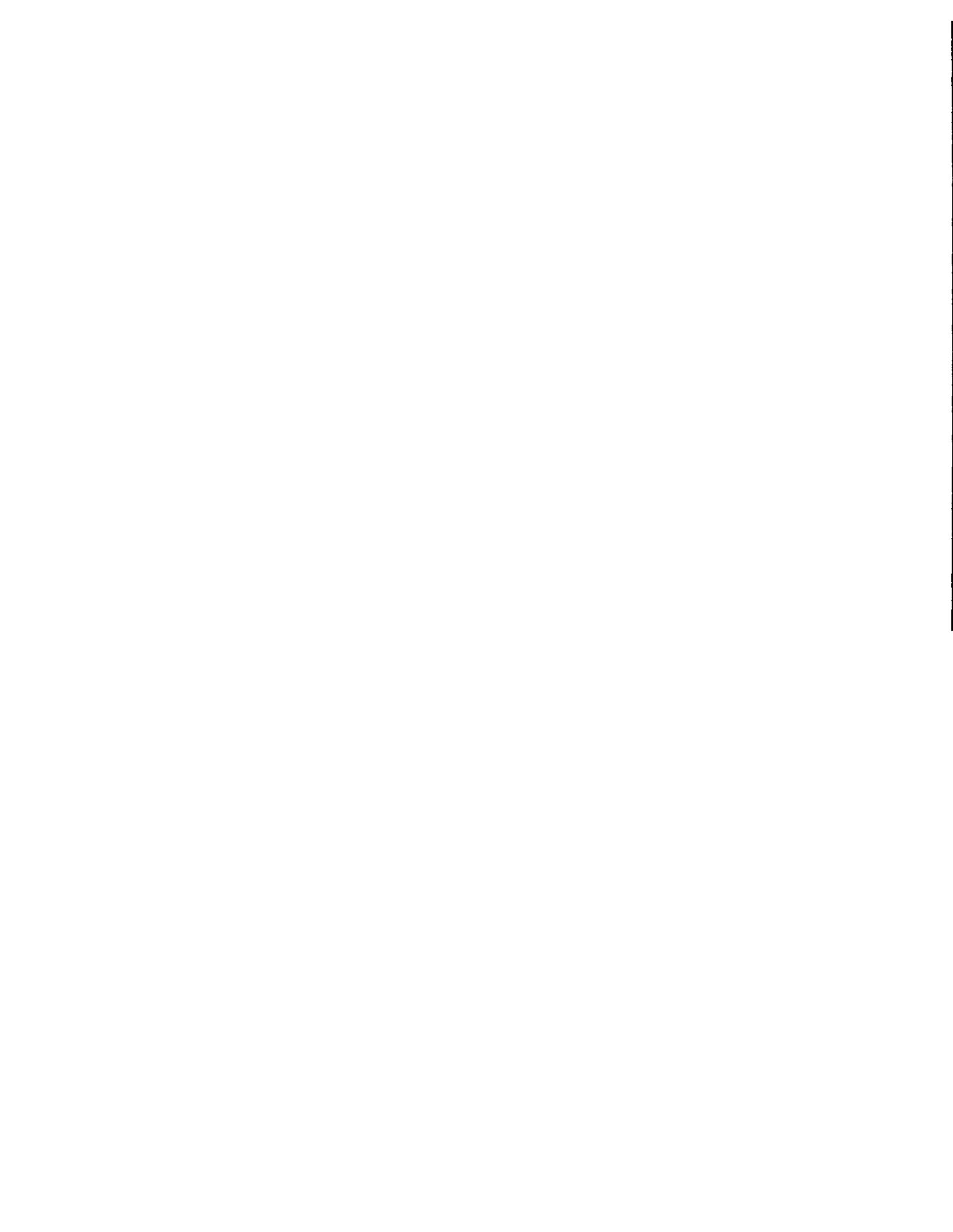
(b) Authorities which will not be delegated to States:

§ 60.694 Permission to use alternative means of emission limitations.

[53 FR 47623, Nov. 23, 1985]

APPENDIX F

40 CFR 61 SUBPART A



Part 61, Subpart A – General Provisions

§ 61.01 Lists of pollutants and applicability of part 61.

(a) The following list presents the substances that, pursuant to section 112 of the Act, have been designated as hazardous air pollutants. The Federal Register citations and dates refer to the publication in which the listing decision was originally published.

Asbestos (36 FR 5931; Mar. 31, 1971)
Benzene (42 FR 29332; June 8, 1977)
Beryllium (36 FR 5931; Mar. 31, 1971)
Coke Oven Emissions (49 FR 36560; Sept. 18, 1984)
Inorganic Arsenic (45 FR 37886; June 5, 1980)
Mercury (36 FR 5931; Mar. 31, 1971)
Radionuclides (44 FR 76738; Dec. 27, 1979)
Vinyl Chloride (40 FR 59532; Dec. 24, 1975)

(b) The following list presents other substances for which a Federal Register notice has been published that included consideration of the serious health effects, including cancer, from ambient air exposure to the substance.

Acrylonitrile (50 FR 24319; June 10, 1985)
1,3-Butadiene (50 FR 41466; Oct. 10, 1985)
Cadmium (50 FR 42000; Oct. 16, 1985)
Carbon Tetrachloride (50 FR 32621; Aug. 13, 1985)
Chlorinated Benzenes (50 FR 32628; Aug. 13, 1985)
Chlorofluorocarbon-113 (50 FR 24313; June 10, 1985)
Chloroform (50 FR 39626; Sept. 27, 1985)
Chloroprene (50 FR 39632; Sept. 27, 1985)
Chromium (50 FR 24317; June 10, 1985)
Copper (52 FR 5496; Feb. 23, 1987)
Epichlorohydrin (50 FR 24575; June 11, 1985)
Ethylene Dichloride (50 FR 41994; Oct. 16, 1985)
Ethylene Oxide (50 FR 40286; Oct. 2, 1985)
Hexachlorocyclopentadiene (50 FR 40154; Oct. 1, 1985)
Manganese (50 FR 32627; Aug. 13, 1985)
Methyl Chloroform (50 FR 24314; June 10, 1985)
Methylene Chloride (50 FR 42037; Oct. 17, 1985)
Nickel (51 FR 34135; Sept. 25, 1986)
Perchloroethylene (50 FR 52800; Dec. 26, 1985)
Phenol (51 FR 22854; June 23, 1986)
Polycyclic Organic Matter (49 FR 31680; Aug. 8, 1984)
Toluene (49 FR 22195; May 25, 1984)
Trichloroethylene (50 FR 52422; Dec. 23, 1985)
Vinylidene Chloride (50 FR 32632; Aug. 13, 1985)
Zinc and Zinc Oxide (52 FR 32597, Aug. 28, 1987)

(c) This part applies to the owner or operator of any stationary source for which a standard is prescribed under this part.

(d) In addition to complying with the provisions of this part, the owner or operator of a stationary source subject to a standard in this part may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter. [50 FR 46290, Nov. 7, 1985, as amended at 51 FR 7715 and 7719, Mar. 5, 1986; 51 FR 11022, Apr. 1, 1986; 52 FR 37617, Oct. 8, 1987; 59 FR 12429, Mar. 16, 1994]

§ 61.02 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 et seq.).

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference method but which has been demonstrated to the Administrator's satisfaction to produce results adequate for the Administrator's determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to a stationary source which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the stationary source's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to a stationary source must not be reduced by any "excluded additions" as defined for stationary sources constructed after December 31, 1981, in IRS Publication 534, as would be done for tax purposes. In addition, "annual asset guideline repair allowance" may be used even though it is excluded for tax purposes in IRS Publication 534.

Commenced means, with respect to the definition of "new source" in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a

reasonable time, a continuous program of construction or modification.

Compliance schedule means the date or dates by which a source or category of sources is required to comply with the standards of this part and with any steps toward such compliance which are set forth in a waiver of compliance under §61.11.

Construction means fabrication, erection, or installation of an affected facility.

Effective date is the date of promulgation in the Federal Register of an applicable standard or other regulation under this part.

Existing source means any stationary source which is not a new source.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Monitoring system means any system, required under the monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a record of emissions or process parameters.

New source means any stationary source, the construction or modification of which is commenced after the publication in the Federal Register of proposed national emission standards for hazardous air pollutants which will be applicable to such source.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Reference method means any method of sampling and analyzing for an air pollutant, as described in Appendix B to this part.

Run means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either

intermittent or continuous within the limits of good engineering practice.

Standard means a national emission standard including a design, equipment, work practice or operational standard for a hazardous air pollutant proposed or promulgated under this part.

Startup means the setting in operation of a stationary source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

- (1) The provisions of this part; and/or
- (2) The permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant which has been designated as hazardous by the Administrator.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

[44 FR 55174, Sept. 25, 1979, as amended at 50 FR 46290, Nov. 7, 1985; 59 FR 12429, Mar. 16, 1994]

§ 61.03 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:

A=ampere
g=gram
Hz=hertz
J=joule
K=degree Kelvin
kg=kilogram
m=meter
m²=square meter
m³=cubic meter
mg=milligram=10⁻³ gram
mm=millimeter=10⁻³ meter
Mg=megagram=10⁶ gram
mol=mole
N=newton
ng=nanogram=10⁻⁹ gram
nm=nanometer=10⁻⁹ meter
Pa=pascal
s=second
V=volt
W=watt
V=ohm
µg=microgram=10⁻⁶ gram

(b) Other units of measure:

°C=degree Celsius (centigrade)
cfm=cubic feet per minute

cc=cubic centimeter
Ci=curie
d=day
°F=degree Fahrenheit
ft²=square feet
ft³=cubic feet
gal=gallon
in=inch
in Hg=inches of mercury
in H₂O=inches of water
l=liter
lb=pound
lpm=liter per minute
min=minute
ml=milliliter=10⁻³ liter
mrem=millirem=10⁻³ rem
oz=ounces
pCi=picocurie=10⁻¹² curie
psig=pounds per square inch gage
°R=degree Rankine
µl=microliter=10⁶ liter
v/v=volume per volume
yd²=square yards
yr=year

(c) Chemical nomenclature:

Be=beryllium
Hg=mercury
H₂O=water

(d) Miscellaneous:

act=actual
avg=average
I.D.=inside diameter
M=molar
N=normal
O.D.=outside diameter
%=percent
std=standard

[42 FR 51574, Sept. 29, 1977, as amended at 54 FR 51704, Dec. 15, 1989]

§ 61.04 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices.

Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), Director, Air Management Division, U.S. Environmental Protection Agency, John F. Kennedy Federal Building, Boston, MA 02203.

Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10278.

Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, Curtis Building, Sixth and Walnut Streets, Philadelphia, PA 19106.

Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, GA 30365.

Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604-3590.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), Director, Air, Pesticides, and Toxics Division, U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, TX 75202.

Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air, RCRA, and Toxics Division, U.S. Environmental Protection Agency, 901 N. 5th Street, Kansas City, KS 66101.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming), Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, 999 18th Street, Suite 300, Denver, CO 80202-2466.

Region IX (American Samoa, Arizona, California, Guam, Hawaii, Nevada), Director, Air Division, U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

Region X (Alaska, Oregon, Idaho, Washington), Director, Office of Air Quality, U.S. Environmental Protection Agency, 1200 Sixth Avenue (OAQ-107), Seattle, WA 98101.

(b) Section 112(d) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce national emission standards for hazardous air pollutants for stationary sources located in such State. If the authority to implement and enforce a standard under this part has been delegated to a State, all information required to be submitted to EPA under paragraph (a) of this section shall also be submitted to the appropriate State agency (provided, that each specific delegation may exempt sources from a certain Federal or State reporting requirement).

The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to EPA and the State agency. If acceptable to both the Administrator and the owner or operator of a source, notifications and reports may be submitted on electronic media. The appropriate mailing address for those States whose delegation request has been approved is as follows:

(A) - (YY) *not included in this document as they do not pertain to sources in Wyoming.*

(ZZ) State of Wyoming, Air Quality Division, Department of Environmental Quality, 122 W. 25th Street, Cheyenne, WY 82002.

(AAA) - (EEE) *not included in this document as they do not pertain to sources in Wyoming.*

(c) The following tables list, by Region, the specific Part 61, National Emission Standards for Hazardous Air Pollutants that have been delegated to state and local agencies.

(1) - (7) *not included in this document as they do not pertain to sources in Wyoming.*

(8) The following is a table indicating the delegation status of National Emission Standards for Hazardous Air Pollutants in Region VIII.

Region VIII--Delegation Status of National Emission Standards for Hazardous Air Pollutants¹

| Subpart | CO | MT | ND | SD | UT ² | WY |
|---|-----|-----|-----|-----|-----------------|------------------|
| A--General Provisions | (*) | (*) | (*) | (*) | (*) | |
| B--Radon Emissions from Underground Uranium Mines | | | | | (*) | |
| C--Beryllium | (*) | (*) | (*) | | (*) | |
| D--Beryllium Rocket Motor Firing | (*) | (*) | (*) | | (*) | |
| E--Mercury | (*) | (*) | (*) | | (*) | |
| F--Vinyl Chloride | (*) | (*) | (*) | | (*) | |
| H--Emissions of Radionuclides other than Radon from Department of Energy Facilities | | | | | | |
| I--Radionuclide Emissions from Facilities Licensed by the Nuclear Regulatory Commission and Federal Facilities not covered by Subpart H | | | | | | |
| J--Equipment Leaks (Fugitive Emission Sources) of Benzene | (*) | (*) | (*) | | (*) | |
| K--Radionuclide Emissions from Elemental Phosphorus Plants | | | | | | |
| L--Benzene Emissions from Coke By-Product Recovery Plants | | (*) | (*) | | (*) | |
| M--Asbestos | (*) | (*) | (*) | (*) | (*) | ³ (*) |
| N--Inorganic Arsenic Emissions from Glass Manufacturing Plants | | (*) | (*) | | (*) | |
| O--Inorganic Arsenic Emissions from Primary Copper Smelters | | (*) | (*) | | (*) | |
| P--Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities | | (*) | (*) | | (*) | |
| Q--Radon Emissions from Department of Energy Facilities | | | | | (*) | |
| R--Radon Emission from Phosphogypsum Stacks | | | | | (*) | |
| T--Radon Emissions from the Disposal of Uranium Mill Tailings | | | | | (*) | |
| V--Equipment Leaks (Fugitive Emission Sources) | | (*) | (*) | | (*) | |
| W--Radon Emissions from Operating Mill Tailings | | | | | (*) | |
| Y--Benzene Emissions from Benzene Storage Vessels | | (*) | (*) | | (*) | |
| BB--Benzene Emission from Benzene Transfer Operations | | (*) | (*) | | (*) | |
| FF--Benzene Waste Operations | | (*) | (*) | | (*) | |

(*)Indicates approval of delegation of subpart to state.

¹Authorities which may not be delegated include 40 CFR 61.04(b), 61.12(d)(1), 61.13(h)(1)(i), 61.112(c), 61.164(a)(2), 61.164(a)(3), 61.172(b)(2)(ii)(B), 61.172(b)(2)(ii)(C), 61.174(a)(2), 61.174(a)(3), 61.242 - 1(c)(2), 61.244, and all authorities listed as not delegable in each subpart under Delegation of Authority.

²Indicates approval of National Emission Standards for Hazardous Air Pollutants as part of the State Implementation Plan (SIP) with the exception of the radionuclide NESHAP Subparts B, Q, R, T, W which were approved through Section 112(l) of the Clean Air Act.

³Delegation only for asbestos demolition, renovation, spraying, manufacturing, and fabricating operations, insulating materials, waste disposal for demolition, renovation, spraying, manufacturing and fabricating operations, inactive waste disposal sites for manufacturing and fabricating operations, and operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material.

(9) - (10) *not included in this document as they do not pertain to sources in Wyoming.*

[40 FR 18170, Apr. 25, 1975]

Editorial Note: For Federal Register citations to §61.04 see the List of CFR Sections Affected appearing in the Finding Aids section of the printed volume and on GPO access.

§ 61.05 Prohibited activities.

(a) After the effective date of any standard, no owner or operator shall construct or modify any stationary source subject to that standard without first obtaining written approval from the Administrator in accordance with this subpart, except under an exemption granted by the President under section 112(c)(2) of the Act. Sources, the construction or modification of which commenced after the publication date of the standards proposed to be applicable to the sources, are subject to this prohibition.

(b) After the effective date of any standard, no owner or operator shall operate a new stationary source subject to that standard in violation of the standard, except under an exemption granted by the President under section 112(c)(2) of the Act.

(c) Ninety days after the effective date of any standard, no owner or operator shall operate any existing source subject to that standard in violation of the standard, except under a waiver granted by the Administrator under this

part or under an exemption granted by the President under section 112(c)(2) of the Act.

(d) No owner or operator subject to the provisions of this part shall fail to report, revise reports, or report source test results as required under this part.

[38 FR 8826, Apr. 6, 1973, as amended at 50 FR 46291, Nov. 7, 1985]

§ 61.06 Determination of construction or modification.

An owner or operator may submit to the Administrator a written application for a determination of whether actions intended to be taken by the owner or operator constitute construction or modification, or commencement thereof, of a source subject to a standard. The Administrator will notify the owner or operator of his determination within 30 days after receiving sufficient information to evaluate the application.

[50 FR 46291, Nov. 7, 1985]

§ 61.07 Application for approval of construction or modification.

(a) The owner or operator shall submit to the Administrator an application for approval of the construction of any new source or modification of any existing source. The application shall be submitted before the construction or modification is planned to commence, or within 30 days after the effective date if the construction or modification had commenced before the effective date and initial startup has not occurred. A separate application shall be submitted for each stationary source.

(b) Each application for approval of construction shall include-

- (1) The name and address of the applicant;
- (2) The location or proposed location of the source; and
- (3) Technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including a description of any equipment to be used for control of emissions. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations.

(c) Each application for approval of modification shall include, in addition to the information required in paragraph (b) of this section-

- (1) The precise nature of the proposed changes;
- (2) The productive capacity of the source before and after the changes are completed; and
- (3) Calculations of estimates of emissions before and after the changes are completed, in sufficient detail to permit assessment of the validity of the calculations.

[50 FR 46291, Nov. 7, 1985]

§ 61.08 Approval of construction or modification.

(a) The Administrator will notify the owner or operator of approval or intention to deny approval of construction or modification within 60 days after receipt of sufficient information to evaluate an application under §61.07.

(b) If the Administrator determines that a stationary source for which an application under §61.07 was submitted will not cause

emissions in violation of a standard if properly operated, the Administrator will approve the construction or modification.

(c) Before denying any application for approval of construction or modification, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with-

- (1) Notice of the information and findings on which the intended denial is based; and
 - (2) Notice of opportunity for the applicant to present, within such time limit as the Administrator shall specify, additional information or arguments to the Administrator before final action on the application.
- (d) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 days of presentation of additional information or arguments, or 60 days after the final date specified for presentation if no presentation is made.

(e) Neither the submission of an application for approval nor the Administrator's approval of construction or modification shall-

- (1) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or of any other applicable Federal, State, or local requirement; or
- (2) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

[50 FR 46291, Nov. 7, 1985]

§ 61.09 Notification of startup.

(a) The owner or operator of each stationary source which has an initial startup after the effective date of a standard shall furnish the Administrator with written notification as follows:

- (1) A notification of the anticipated date of initial startup of the source not more than 60 days nor less than 30 days before that date.
- (2) A notification of the actual date of initial startup of the source within 15 days after that date.

(b) If any State or local agency requires a notice which contains all the information required in the notification in paragraph (a) of this section, sending the Administrator a copy of that notification will satisfy paragraph (a) of this section.

[50 FR 46291, Nov. 7, 1985]

§ 61.10 Source reporting and waiver request.

(a) The owner or operator of each existing source or each new source which had an initial startup before the effective date shall provide the following information in writing to the Administrator within 90 days after the effective date:

- (1) Name and address of the owner or operator.
- (2) The location of the source.

(3) The type of hazardous pollutants emitted by the stationary source.

(4) A brief description of the nature, size, design, and method of operation of the stationary source including the operating design capacity of the source. Identify each point of emission for each hazardous pollutant.

(5) The average weight per month of the hazardous materials being processed by the source, over the last 12 months preceding the date of the report.

(6) A description of the existing control equipment for each emission point including

- (i) Each control device for each hazardous pollutant; and
- (ii) Estimated control efficiency (percent) for each control device.

(7) A statement by the owner or operator of the source as to whether the source can comply with the standards within 90 days after the effective date.

(b) The owner or operator of an existing source unable to comply with an applicable standard may request a waiver of compliance with that standard for a period not exceeding 2 years after the effective date. Any request shall be in writing and shall include the following information:

- (1) A description of the controls to be installed to comply with the standard.
- (2) A compliance schedule, including the date each step toward compliance will be reached. The list shall include as a minimum the following dates:

(i) Date by which contracts for emission control systems or process changes for emission control will be awarded, or date by which orders will be issued for the purchase of component parts to accomplish emission control or process changes;

(ii) Date of initiation of onsite construction or installation of emission control equipment or process change;

(iii) Date by which onsite construction or installation of emission control equipment or process change is to be completed; and

(iv) Date by which final compliance is to be achieved.

(3) A description of interim emission control steps which will be taken during the waiver period.

(c) Any change in the information provided under paragraph (a) of this section or §§61.07(b) shall be provided to the Administrator within 30 days after the change. However, if any change will result from modification of the source, §§61.07(c) and 61.08 apply.

(d) A possible format for reporting under this section is included as appendix A of this part. Advice on reporting the status of compliance may be obtained from the Administrator.

(e) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent,

unless otherwise specified in an applicable requirement.

(f) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(g) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods, or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (j) of this section.

(h) If an owner or operator of a stationary source in a State with delegated authority is required to submit reports under this part to the State, and if the State has an established timeline for the submission of reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the source is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (j) of this section.

(i) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 60, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the source is required to be in compliance with the applicable subpart in this part, or 1 year after

the source is required to be in compliance with the applicable part 60 or part 63 standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (j) of this section.

(j) (1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (j)(2) and (j)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (j)(2) and (j)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[38 FR 8826, Apr. 6, 1973, as amended at 50 FR 46292, Nov. 7, 1985; 59 FR 12430, Mar. 16, 1994]

§ 61.11 Waiver of compliance.

(a) Based on the information provided in any request under §61.10, or other information, the Administrator may grant a waiver of compliance with a standard for a period not exceeding 2 years after the effective date of the standard.

(b) The waiver will be in writing and will-

- (1) Identify the stationary source covered;
- (2) Specify the termination date of the waiver;
- (3) Specify dates by which steps toward compliance are to be taken; and
- (4) Specify any additional conditions which the Administrator determines necessary to assure installation of the necessary controls

within the waiver period and to assure protection of the health of persons during the waiver period.

(c) The Administrator may terminate the waiver at an earlier date than specified if any specification under paragraphs (b)(3) and (b)(4) of this section are not met.

(d) Before denying any request for a waiver, the Administrator will notify the owner or operator making the request of the Administrator's intention to issue the denial, together with-

(1) Notice of the information and findings on which the intended denial is based; and

(2) Notice of opportunity for the owner or operator to present, within the time limit the Administrator specifies, additional information or arguments to the Administrator before final action on the request.

(e) A final determination to deny any request for a waiver will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 60 days after presentation of additional information or argument; or within 60 days after the final date specified for the presentation if no presentation is made.

(f) The granting of a waiver under this section shall not abrogate the Administrator's authority under section 114 of the Act.

[50 FR 46292, Nov. 7, 1985]

§ 61.12 Compliance with standards and maintenance requirements.

(a) Compliance with numerical emission limits shall be determined in accordance with emission tests established in §61.13 or as otherwise specified in an individual subpart.

(b) Compliance with design, equipment, work practice or operational standards shall be determined as specified in an individual subpart.

(c) The owner or operator of each stationary source shall maintain and operate the source, including associated equipment for air pollution control, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source.

(d)(1) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions of a pollutant from a source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice or operational standard, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with the standard. The notice will restrict the permission to the source(s) or category(ies) of sources on which the

alternative means will achieve equivalent emission reductions. The notice may condition permission on requirements related to the operation and maintenance of the alternative means.

(2) Any notice under paragraph (d)(1) shall be published only after notice and an opportunity for a hearing.

(3) Any person seeking permission under this subsection shall, unless otherwise specified in the applicable subpart, submit a proposed test plan or the results of testing and monitoring, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring.

(e) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test had been performed.

[50 FR 46292, Nov. 7, 1985, as amended 62 FR 8328, Feb. 24, 1997]

§ 61.13 Emission tests and waiver of emission tests.

(a) If required to do emission testing by an applicable subpart and unless a waiver of emission testing is obtained under this section, the owner or operator shall test emissions from the source-

(1) Within 90 days after the effective date, for an existing source or a new source which has an initial startup date before the effective date; or

(2) Within 90 days after initial startup, for a new source which has an initial startup date after the effective date.

(b) The Administrator may require an owner or operator to test emissions from the source at any other time when the action is authorized by section 114 of the Act.

(c) The owner or operator shall notify the Administrator of the emission test at least 30 days before the emission test to allow the Administrator the opportunity to have an observer present during the test.

(d) If required to do emission testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source shall provide emission testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to each source.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(5) Any other facilities that the Administrator needs to safely and properly test a source.

(e) Each emission test shall be conducted under such conditions as the Administrator

shall specify based on design and operational characteristics of the source.

(f) Unless otherwise specified in an applicable subpart, samples shall be analyzed and emissions determined within 30 days after each emission test has been completed. The owner or operator shall report the determinations of the emission test to the Administrator by a registered letter sent before the close of business on the 31st day following the completion of the emission test.

(g) The owner or operator shall retain at the source and make available, upon request, for inspection by the Administrator, for a minimum of 2 years, records of emission test results and other data needed to determine emissions.

(h)(1) Emission tests shall be conducted as set forth in this section, the applicable subpart and appendix B unless the Administrator-

(i) Specifies or approves the use of a reference method with minor changes in methodology; or

(ii) Approves the use of an alternative method; or

(iii) Waives the requirement for emission testing because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the source is in compliance with the standard.

(2) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative method, he may require the use of a reference method. If the results of the reference and alternative methods do not agree, the results obtained by the reference method prevail.

(3) The owner or operator may request approval for the use of an alternative method at any time, except

(i) For an existing source or a new source that had an initial startup before the effective date, any request for use of an alternative method during the initial emission test shall be submitted to the Administrator within 30 days after the effective date, or with the request for a waiver of compliance if one is submitted under §60.10(b); or

(ii) For a new source that has an initial startup after the effective date, any request for use of an alternative method during the initial emission test shall be submitted to the Administrator no later than with the notification of anticipated startup required under §60.09.

(i)(1) Emission tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the standard, or the source is being operated under a waiver or compliance, or the owner or operator has requested a waiver of compliance and the Administrator is still considering that request.

(2) If application for waiver of the emission test is made, the application shall accompany the information required by §61.10 or the notification of startup required by §61.09,

whichever is applicable. A possible format is contained in appendix A to this part.

(3) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the source.

[50 FR 46292, Nov. 7, 1985]

§ 61.14 Monitoring requirements.

(a) Unless otherwise specified, this section applies to each monitoring system required under each subpart which requires monitoring.

(b) Each owner or operator shall maintain and operate each monitoring system as specified in the applicable subpart and in a manner consistent with good air pollution control practice for minimizing emissions. Any unavoidable breakdown or malfunction of the monitoring system should be repaired or adjusted as soon as practicable after its occurrence. The Administrator's determination of whether acceptable operating and maintenance procedures are being used will be based on information which may include, but not be limited to, review of operating and maintenance procedures, manufacturer recommendations and specifications, and inspection of the monitoring system.

(c) When required by the applicable subpart, and at any other time the Administrator may require, the owner or operator of a source being monitored shall conduct a performance evaluation of the monitoring system and furnish the Administrator with a copy of a written report of the results within 60 days of the evaluation. Such a performance evaluation shall be conducted according to the applicable specifications and procedures described in the applicable subpart. The owner or operator of the source shall furnish the Administrator with written notification of the date of the performance evaluation at least 30 days before the evaluation is to begin.

(d) When the effluents from a single source, or from two or more sources subject to the same emission standards, are combined before being released to the atmosphere, the owner or operator shall install a monitoring system on each effluent or on the combined effluent. If two or more sources are not subject to the same emission standards, the owner or operator shall install a separate monitoring system on each effluent, unless otherwise specified. If the applicable standard is a mass emission standard and the effluent from one source is released to the atmosphere through more than one point, the owner or operator shall install a monitoring system at each emission point unless the installation of fewer systems is approved by the Administrator.

(e) The owner or operator of each monitoring system shall reduce the monitoring data as specified in each applicable subpart. Monitoring data recorded during periods of unavoidable monitoring system breakdowns,

repairs, calibration checks, and zero and span adjustments shall not be included in any data average.

(f) The owner or operator shall maintain records of monitoring data, monitoring system calibration checks, and the occurrence and duration of any period during which the monitoring system is malfunctioning or inoperative. These records shall be maintained at the source for a minimum of 2 years and made available, upon request, for inspection by the Administrator.

(g)(1) Monitoring shall be conducted as set forth in this section and the applicable subpart unless the Administrator-

(i) Specifies or approves the use of the specified monitoring requirements and procedures with minor changes in methodology; or

(ii) Approves the use of alternatives to any monitoring requirements or procedures.

(2) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, the Administrator may require the monitoring requirements and procedures specified in this part.

[50 FR 46293, Nov. 7, 1985]

§ 61.15 Modification.

(a) Except as provided under paragraph (d) of this section, any physical or operational change to a stationary source which results in an increase in the rate of emission to the atmosphere of a hazardous pollutant to which a standard applies shall be considered a modification.

(b) Upon modification, an existing source shall become a new source for each hazardous pollutant for which the rate of emission to the atmosphere increases and to which a standard applies.

(c) Emission rate shall be expressed as kg/hr of any hazardous pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine the emission rate:

(1) Emission factors as specified in the background information document (BID) for the applicable standard, or in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where use of emission factors demonstrates that the emission rate will clearly increase or clearly not increase as a result of the physical or operational change.

(2) Material balances, monitoring data, or manual emission tests in cases where use of emission factors, as referenced in paragraph (c)(1) of this section, does not demonstrate to the Administrator's satisfaction that the emission rate will clearly increase or clearly not increase as a result of the physical or operational change, or where an interested person demonstrates to the Administrator's

satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator using emission factors. When the emission rate is based on results from manual emission tests or monitoring data, the procedures specified in appendix C of 40 CFR part 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator. At least three test runs must be conducted before and at least three after the physical or operational change. If the Administrator approves, the results of the emission tests required in §§61.13(a) may be used for the test runs to be conducted before the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum degree feasible for all test runs.

(d) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category.

(2) An increase in production rate of a stationary source, if that increase can be accomplished without a capital expenditure on the stationary source.

(3) An increase in the hours of operation.

(4) Any conversion to coal that meets the requirements specified in section 111(a)(8) of the Act.

(5) The relocation or change in ownership of a stationary source. However, such activities must be reported in accordance with §§61.10(c).

[50 FR 46294, Nov. 7, 1985]

§ 61.16 Availability of information.

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

[38 FR 8826, Apr. 6, 1973. Redesignated at 50 FR 46294, Nov. 7, 1985]

§ 61.17 State authority.

(a) This part shall not be construed to preclude any State or political subdivision thereof from-

(1) Adopting and enforcing any emission limiting regulation applicable to a stationary source, provided that such emission limiting regulation is not less stringent than the standards prescribed under this part; or

(2) Requiring the owner or operator of a stationary source to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of the source.

[50 FR 46294, Nov. 7, 1985]

§ 61.18 Incorporations by reference.

The materials listed below are incorporated by reference in the corresponding sections noted.

These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are

incorporated as they exist on the date of the approval, and a notice of any change in these materials will be published in the Federal Register. The materials are available for inspection at the corresponding address noted below, and at U.S. EPA's Air Docket at 1200 Pennsylvania Avenue, NW, Washington, DC 20460, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(a) The following materials are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM) International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA, 19428-2959; or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

(1) ASTM D737-75, Standard Test Method for Air Permeability of Textile Fabrics, incorporation by reference (IBR) approved January 27, 1983 for Sec. 61.23(a).

(2) ASTM D835-85, Standard Specification for Refined Benzene-485, IBR approved September 14, 1989 for Sec. 61.270(a).

(3) ASTM D836-84, Standard Specification for Industrial Grade Benzene, IBR approved September 14, 1989 for Sec. 61.270(a).

(4) ASTM D1193-77, 91, Standard Specification for Reagent Water, IBR approved for appendix B: Method 101, Section 7.1.1; Method 101A, Section 7.1.1; and Method 104, Section 7.1; Method 108, Section 7.1.3; Method 108A, Section 7.1.1; Method 108B, Section 7.1.1; Method 108C, Section 7.1.1; and Method 111, Section 7.3.

(5) ASTM D2267-68, 78, 88, Standard Test Method for Aromatics in Light Naphthas and Aviation Gasoline by Gas Chromatography, IBR approved September 30, 1986, for Sec. 61.67(h)(1).

(6) ASTM D2359-85a, 93, Standard Specification for Refined Benzene- 535, IBR approved September 14, 1989 for Sec. 61.270(a).

(7) ASTM D2382-76, 88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved June 6, 1984 for Sec. 61.245(e)(3).

(8) ASTM D2504-67, 77, 88 (Reapproved 1993), Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved June 6, 1984 for Sec. 61.245(e)(3).

(9) ASTM D2879-83, Standard Test Method for Vapor Pressure-- Temperature Relationship and Initial Decomposition Temperature of Liquids by Isotenoscope, IBR approved December 14, 2000 for Sec. 61.241.

(10) ASTM D2986-71, 78, 95a, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Diocetyl Phthalate) Smoke Test, IBR approved for appendix B: Method 103, Section 6.1.3.

(11) ASTM D4420-94, Standard Test Method for Determination of Aromatics in Finished Gasoline by Gas Chromatography, IBR approved for Sec. 61.67(h)(1).

(12) ASTM D4734-87, 96, Standard Specification for Refined Benzene- 545, IBR approved September 14, 1989 for Sec. 61.270(a).

(13) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for Sec. 61.245(c)(3).

(14) ASTM E50-82, 86, 90 (Reapproved 1995), Standard Practices for Apparatus Reagents, and Safety Precautions for Chemical Analysis of Metals, IBR approved for appendix B: Method 108C, Section 6.1.4.

(b) The following material is available from the U.S. EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio 45268.

(1) Method 601, Test Method for Purgeable Halocarbons, July 1982, IBR approved September 30, 1986, for Sec. 61.67(g)(2).

(c) The following material is available for purchase from the American National Standards Institute, 25 West 43rd Street, 4th Floor, New York, New York 10036.

(1) ANSI N13.1-1969, "Guide to Sampling Airborne Radioactive Materials in Nuclear Facilities." IBR approved for 61.93(b)(2)(ii) and 61.107(b)(2)(i).

(2) ANSI/HPS N13.1-1999 "Sampling and Monitoring Releases of Airborne Radioactive

Substances from the Stacks and Ducts of Nuclear Facilities," IBR approved October 9, 2002, [[Page 36]] for Secs. 61.93(c); 61.107(d) and Method 114, paragraph 2.1 of Appendix B to 40 CFR part 61.

(d) The following material is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402-9325, telephone (202) 512-1800 or outside of Washington, DC area: 1-866-512-1800.

(1) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA Publication SW-846, Third Edition, November 1986, as amended by Revision I, December 1987, Order Number 955-001-00000-1:

(i) Method 8020, Aromatic Volatile Organics, IBR approved March 7, 1990, for Sec. 61.355(c)(2)(iv)(A).

(ii) Method 8021, Volatile Organic Compounds in Water by Purge and Trap Capillary Column Gas Chromatography with Photoionization and Electrolytic Conductivity Detectors in Series, IBR approved March 7, 1990, for Sec. 61.355(c)(2)(iv)(B).

(iii) Method 8240, Gas Chromatography/Mass Spectrometry for Volatile Organics, IBR approved March 7, 1990, for Sec. 61.355(c)(2)(iv)(C).

(iv) Method 8260, Gas Chromatography/Mass Spectrometry for Volatile Organics: Capillary Column Technique, IBR approved March 7, 1990, for Sec. 61.355(c)(2)(iv)(D).

(e) The materials listed in this paragraph (e) are available for purchase from the American Petroleum Institute (API), 1220 L Street, NW., Washington, DC 20005.

(1) API Publication 2517, Evaporative Loss from External Floating- Roof Tanks, Third Edition. February 1989. IBR approved December 14, 2000 for Sec. 61.241

(2) [Reserved]

[48 FR 3740, Jan. 27, 1983, as amended at 48 FR 55266, Dec. 9, 1983; 49 FR 23520, June 6, 1984; 51 FR 34914, Sept. 30, 1986; 54 FR 38073, Sept. 14, 1989; 54 FR 51704, Dec. 15, 1989; 55 FR 8341, Mar. 7, 1990; 55 FR 18331, May 2, 1990; 55 FR 22027, May 31, 1990; 55 FR 32914, Aug. 13, 1990; 65 FR 62150, Oct. 17, 2000; 65 FR 78280, Dec. 14, 2000; 67 FR 57166, Sept. 9, 2002; 69 FR 18803, Apr. 9, 2004]

§ 61.19 Circumvention.

No owner or operator shall build, erect, install, or use any article machine, equipment, process, or method, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous dilutants to achieve compliance with a visible emissions standard, and the piecemeal carrying out of an operation to avoid coverage by a standard that applies only to operations larger than a specified size.

[40 FR 48299, Oct. 14, 1975. Redesignated at 50 FR 46294, Nov. 7, 1985]

APPENDIX G

40 CFR 61 SUBPART FF

Subpart FF-National Emission Standard for Benzene Waste Operations

Source: 55 FR 8346, Mar. 7, 1990, unless otherwise noted.

§ 61.340 Applicability.

(a) The provisions of this subpart apply to owners and operators of chemical manufacturing plants, coke by-product recovery plants, and petroleum refineries.

(b) The provisions of this subpart apply to owners and operators of hazardous waste treatment, storage, and disposal facilities that treat, store, or dispose of hazardous waste generated by any facility listed in paragraph (a) of this section. The waste streams at hazardous waste treatment, storage, and disposal facilities subject to the provisions of this subpart are the benzene-containing hazardous waste from any facility listed in paragraph (a) of this section. A hazardous waste treatment, storage, and disposal facility is a facility that must obtain a hazardous waste management permit under subtitle C of the Solid Waste Disposal Act.

(c) At each facility identified in paragraph (a) or (b) of this section, the following waste is exempt from the requirements of this subpart:

(1) Waste in the form of gases or vapors that is emitted from process fluids:

(2) Waste that is contained in a segregated stormwater sewer system.

(d) At each facility identified in paragraph (a) or (b) of this section, any gaseous stream from a waste management unit, treatment process, or wastewater treatment system routed to a fuel gas system, as defined in §61.341, is exempt from this subpart. No testing, monitoring, recordkeeping, or reporting is required under this subpart for any gaseous stream from a waste management unit, treatment process, or wastewater treatment unit routed to a fuel gas system.

[55 FR 8346, Mar. 7, 1990, as amended at 55 FR 37231, Sept. 10, 1990; 58 FR 3095, Jan. 7, 1993; 67 FR 68531, Nov. 12, 2002]

§ 61.341 Definitions.

Benzene concentration means the fraction by weight of benzene in a waste as determined in accordance with the procedures specified in §61.355 of this subpart.

Car-seal means a seal that is placed on a device that is used to change the position of a valve (e.g., from opened to closed) in such a way that the position of the valve cannot be changed without breaking the seal.

Chemical manufacturing plant means any facility engaged in the production of chemicals by chemical, thermal, physical, or biological processes for use as a product, co-product, by-product, or intermediate including but not limited to industrial organic chemicals, organic pesticide products, pharmaceutical preparations, paint and allied products, fertilizers, and agricultural chemicals. Examples of chemical manufacturing plants include facilities at which process units are

operated to produce one or more of the following chemicals: benzenesulfonic acid, benzene, chlorobenzene, cumene, cyclohexane, ethylene, ethylbenzene, hydroquinone, linear alkylbenzene, nitrobenzene, resorcinol, sulfolane, or styrene.

Closed-vent system means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission source to a control device.

Coke by-product recovery plant means any facility designed and operated for the separation and recovery of coal tar derivatives (by-products) evolved from coal during the coking process of a coke oven battery.

Container means any portable waste management unit in which a material is stored, transported, treated, or otherwise handled. Examples of containers are drums, barrels, tank trucks, barges, dumpsters, tank cars, dump trucks, and ships.

Control device means an enclosed combustion device, vapor recovery system, or flare.

Cover means a device or system which is placed on or over a waste placed in a waste management unit so that the entire waste surface area is enclosed and sealed to minimize air emissions. A cover may have openings necessary for operation, inspection, and maintenance of the waste management unit such as access hatches, sampling ports, and gauge wells provided that each opening is closed and sealed when not in use. Example of covers include a fixed roof installed on a tank, a lid installed on a container, and an air-supported enclosure installed over a waste management unit.

External floating roof means a pontoon-type or double-deck type cover with certain rim sealing mechanisms that rests on the liquid surface in a waste management unit with no fixed roof.

Facility means all process units and product tanks that generate waste within a stationary source, and all waste management units that are used for waste treatment, storage, or disposal within a stationary source.

Fixed roof means a cover that is mounted on a waste management unit in a stationary manner and that does not move with fluctuations in liquid level.

Floating roof means a cover with certain rim sealing mechanisms consisting of a double deck, pontoon single deck, internal floating cover or covered floating roof, which rests upon and is supported by the liquid being contained, and is equipped with a closure seal or seals to close the space between the roof edge and unit wall.

Flow indicator means a device which indicates whether gas flow is present in a line or vent system.

Fuel gas system means the offsite and onsite

piping and control system that gathers gaseous streams generated by facility operations, may blend them with sources of gas, if available, and transports the blended gaseous fuel at suitable pressures for use as fuel in heaters, furnaces, boilers, incinerators, gas turbines, and other combustion devices located within or outside the facility. The fuel is piped directly to each individual combustion device, and the system typically operates at pressures over atmospheric.

Individual drain system means the system used to convey waste from a process unit, product storage tank, or waste management unit to a waste management unit. The term includes all process drains and common junction boxes, together with their associated sewer lines and other junction boxes, down to the receiving waste management unit.

Internal floating roof means a cover that rests or floats on the liquid surface inside a waste management unit that has a fixed roof.

Liquid-mounted seal means a foam or liquid-filled primary seal mounted in contact with the liquid between the waste management unit wall and the floating roof continuously around the circumference.

Loading means the introduction of waste into a waste management unit but not necessarily to complete capacity (also referred to as filling).

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

- (1) In accordance with §§60.17(c); or
- (2) As obtained from standard reference texts; or
- (3) In accordance with §§60.17(a)(37); or
- (4) Any other method approved by the Administrator.

No detectable emissions means less than 500 parts per million by volume (ppmv) above background levels, as measured by a detection instrument reading in accordance with the procedures specified in §§61.355(h) of this subpart.

Oil-water separator means a waste management unit, generally a tank or surface impoundment, used to separate oil from water. An oil-water separator consists of not only the separation unit but also the forebay and other separator basins, skimmers, weirs, grit chambers, sludge hoppers, and bar screens that are located directly after the individual drain system and prior to additional treatment units such as an air flotation unit, clarifier, or biological treatment unit. Examples of an oil-water separator include an API separator, parallel-plate interceptor, and corrugated-plate

interceptor with the associated ancillary equipment.

Petroleum refinery means any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through the distillation of petroleum, or through the redistillation, cracking, or reforming of unfinished petroleum derivatives.

Petroleum means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal

Point of waste generation means the location where the waste stream exits the process unit component or storage tank prior to handling or treatment in an operation that is not an integral part of the production process, or in the case of waste management units that generate new wastes after treatment, the location where the waste stream exits the waste management unit component.

Process unit means equipment assembled and connected by pipes or ducts to produce intermediate or final products. A process unit can be operated independently if supplied with sufficient fuel or raw materials and sufficient product storage facilities.

Process unit turnaround means the shutting down of the operations of a process unit, the purging of the contents of the process unit, the maintenance or repair work, followed by restarting of the process.

Process unit turnaround waste means a waste that is generated as a result of a process unit turnaround.

Process wastewater means water which comes in contact with benzene during manufacturing or processing operations conducted within a process unit. Process wastewater is not organic wastes, process fluids, product tank drawdown, cooling tower blowdown, steam trap condensate, or landfill leachate.

Process wastewater stream means a waste stream that contains only process wastewater.

Product tank means a stationary unit that is designed to contain an accumulation of materials that are fed to or produced by a process unit, and is constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) which provide structural support.

Product tank drawdown means any material or mixture of materials discharged from a product tank for the purpose of removing water or other contaminants from the product tank.

Safety device means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purpose of this subpart, a safety device is not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to

adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the air emission control equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, ignitable, explosive, reactive, or hazardous materials.

Segregated stormwater sewer system means a drain and collection system designed and operated for the sole purpose of collecting rainfall runoff at a facility, and which is segregated from all other individual drain systems.

Sewer line means a lateral, trunk line, branch line, or other enclosed conduit used to convey waste to a downstream waste management unit.

Slop oil means the floating oil and solids that accumulate on the surface of an oil-water separator

Sour water stream means a stream that:

- (1) Contains ammonia or sulfur compounds (usually hydrogen sulfide) at concentrations of 10 ppm by weight or more;
- (2) is generated from separation of water from a feed stock, intermediate, or product that contained ammonia or sulfur compounds; and
- (3) requires treatment to remove the ammonia or sulfur compounds.

Sour water stripper means a unit that:

- (1) Is designed and operated to remove ammonia or sulfur compounds (usually hydrogen sulfide) from sour water streams;
- (2) has the sour water streams transferred to the stripper through hard piping or other enclosed system; and
- (3) is operated in such a manner that the offgases are sent to a sulfur recovery unit, processing unit, incinerator, flare, or other combustion device.

Surface impoundment means a waste management unit which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or waste containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds, and lagoons.

Tank means a stationary waste management unit that is designed to contain an accumulation of waste and is constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) which provide structural support.

Treatment process means a stream stripping unit, thin-film evaporation unit, waste incinerator, or any other process used to comply with §61.348 of this subpart.

Vapor-mounted seal means a foam-filled primary seal mounted continuously around the perimeter of a waste management unit so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the unit wall, the liquid surface, and the floating roof.

Waste means any material resulting from industrial, commercial, mining or agricultural operations, or from community activities that is discarded or is being accumulated, stored, or physically, chemically, thermally, or biologically treated prior to being discarded, recycled, or discharged.

Waste management unit means a piece of equipment, structure, or transport mechanism used in handling, storage, treatment, or disposal of waste. Examples of a waste management unit include a tank, surface impoundment, container, oil-water separator, individual drain system, steam stripping unit, thin-film evaporation unit, waste incinerator, and landfill.

Waste stream means the waste generated by a particular process unit, product tank, or waste management unit. The characteristics of the waste stream (e.g., flow rate, benzene concentration, water content) are determined at the point of waste generation. Examples of a waste stream include process wastewater, product tank drawdown, sludge and slop oil removed from waste management units, and landfill leachate.

Wastewater treatment system means any component, piece of equipment, or installation that receives, manages, or treats process wastewater, product tank drawdown, or landfill leachate prior to direct or indirect discharge in accordance with the National Pollutant Discharge Elimination System permit regulations under 40 CFR part 122. These systems typically include individual drain systems, oil-water separators, air flotation units, equalization tanks, and biological treatment units.

Water seal controls means a seal pot, p-leg trap, or other type of trap filled with water (e.g., flooded sewers that maintain water levels adequate to prevent air flow through the system) that creates a water barrier between the sewer line and the atmosphere. The water level of the seal must be maintained in the vertical leg of a drain in order to be considered a water seal.

[55 FR 8346, Mar. 7, 1990; 55 FR 12444, Apr. 3, 1990, as amended at 58 FR 3095, Jan. 7, 1993; 67 FR 68531, Nov. 12, 2002]

§ 61.342 Standards: General.

(a) An owner or operator of a facility at which the total annual benzene quantity from facility waste is less than 10 megagrams per year (Mg/yr) (11 ton/yr) shall be exempt from the requirements of paragraphs (b) and (c) of this

section. The total annual benzene quantity from facility waste is the sum of the annual benzene quantity for each waste stream at the facility that has a flow-weighted annual average water content greater than 10 percent or that is mixed with water, or other wastes, at any time and the mixture has an annual average water content greater than 10 percent.

The benzene quantity in a waste stream is to be counted only once without multiple counting if other waste streams are mixed with or generated from the original waste stream. Other specific requirements for calculating the total annual benzene waste quantity are as follows:

(1) Wastes that are exempted from control under §61.342(c)(2) and 61.342(c)(3) are included in the calculation of the total annual benzene quantity if they have an annual average water content greater than 10 percent, or if they are mixed with water or other wastes at any time and the mixture has an annual average water content greater than 10 percent.

(2) The benzene in a material subject to this subpart that is sold is included in the calculation of the total annual benzene quantity if the material has an annual average water content greater than 10 percent.

(3) Benzene in wastes generated by remediation activities conducted at the facility, such as the excavation of contaminated soil, pumping and treatment of groundwater, and the recovery of product from soil or groundwater, are not included in the calculation of total annual benzene quantity for that facility. If the facility's total annual benzene quantity is 10 Mg/yr (11 ton/yr) or more, wastes generated by remediation activities are subject to the requirements of paragraphs (c) through (h) of this section. If the facility is managing remediation waste generated onsite, the benzene in this waste shall be included in the calculation of total annual benzene quantity in facility waste, if the waste streams have an annual average water content greater than 10 percent, or if they are mixed with water or other wastes at any time and the mixture has an annual average water content greater than 10 percent.

(4) The total annual benzene quantity is determined based upon the quantity of benzene in the waste before any waste treatment occurs to remove the benzene except as specified in §61.355(c)(1)(i) (A) through (C).

(b) Each owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr) as determined in paragraph (a) of this section shall be in compliance with the requirements of paragraphs (c) through (h) of this section no later than 90 days following the effective date, unless a waiver of compliance has been obtained under §61.11, or by the initial startup for a new source with an initial startup after the effective date.

(1) The owner or operator of an existing source unable to comply with the rule within

the required time may request a waiver of compliance under §61.10.

(2) As part of the waiver application, the owner or operator shall submit to the Administrator a plan under §61.10(b)(3) that is an enforceable commitment to obtain environmental benefits to mitigate the benzene emissions that result from extending the compliance date. The plan shall include the following information:

(i) A description of the method of compliance, including the control approach, schedule for installing controls, and quantity of the benzene emissions that result from extending the compliance date;

(ii) If the control approach involves a compliance strategy designed to obtain integrated compliance with multiple regulatory requirements, a description of the other regulations involved and their effective dates; and

(iii) A description of the actions to be taken at the facility to obtain mitigating environmental benefits, including how the benefits will be obtained, the schedule for these actions, and an estimate of the quantifiable benefits that directly result from these actions.

(c) Each owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr) as determined in paragraph (a) of this section shall manage and treat the facility waste as follows:

(1) For each waste stream that contains benzene, including (but not limited to) organic waste streams that contain less than 10 percent water and aqueous waste streams, even if the wastes are not discharged to an individual drain system, the owner or operator shall:

(i) Remove or destroy the benzene contained in the waste using a treatment process or wastewater treatment system that complies with the standards specified in §61.348 of this subpart.

(ii) Comply with the standards specified in §61.343 through 61.347 of this subpart for each waste management unit that receives or manages the waste stream prior to and during treatment of the waste stream in accordance with paragraph (c)(1)(i) of this section.

(iii) Each waste management unit used to manage or treat waste streams that will be recycled to a process shall comply with the standards specified in §61.343 through 61.347. Once the waste stream is recycled to a process, including to a tank used for the storage of production process feed, product, or product intermediates, unless this tank is used primarily for the storage of wastes, the material is no longer subject to paragraph (c) of this section.

(2) A waste stream is exempt from paragraph (c)(1) of this section provided that the owner or operator demonstrates initially and, thereafter, at least once per year that the flow-weighted annual average benzene concentration for the waste stream is less than

10 ppmw as determined by the procedures specified in §61.355(c)(2) or §61.355(c)(3).

(3) A waste stream is exempt from paragraph (c)(1) of this section provided that the owner or operator demonstrates initially and, thereafter, at least once per year that the conditions specified in either paragraph (c)(3)(i) or (c)(3)(ii) of this section are met.

(i) The waste stream is process wastewater that has a flow rate less than 0.02 liters per minute (0.005 gallons per minute) or an annual wastewater quantity of less than 10 Mg/yr (11 ton/yr); or

(ii) All of the following conditions are met:

(A) The owner or operator does not choose to exempt process wastewater under paragraph (c)(3)(i) of this section,

(B) The total annual benzene quantity in all waste streams chosen for exemption in paragraph (c)(3)(ii) of this section does not exceed 2.0 Mg/yr (2.2 ton/yr) as determined in the procedures in §61.355(j), and

(C) The total annual benzene quantity in a waste stream chosen for exemption, including process unit turnaround waste, is determined for the year in which the waste is generated.

(d) As an alternative to the requirements specified in paragraphs (c) and (e) of this section, an owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr) as determined in paragraph (a) of this section may elect to manage and treat the facility waste as follows:

(1) The owner or operator shall manage and treat facility waste other than process wastewater in accordance with the requirements of paragraph (c)(1) of this section.

(2) The owner or operator shall manage and treat process wastewater in accordance with the following requirements:

(i) Process wastewater shall be treated to achieve a total annual benzene quantity from facility process wastewater less than 1 Mg/yr (1.1 ton/yr). Total annual benzene from facility process wastewater shall be determined by adding together the annual benzene quantity at the point of waste generation for each untreated process wastewater stream plus the annual benzene quantity exiting the treatment process for each process wastewater stream treated in accordance with the requirements of paragraph (c)(1)(i) of this section.

(ii) Each treated process wastewater stream identified in paragraph (d)(2)(i) of this section shall be managed and treated in accordance with paragraph (c)(1) of this section.

(iii) Each untreated process wastewater stream identified in paragraph (d)(2)(i) of this section is exempt from the requirements of paragraph (c)(1) of this section.

(e) As an alternative to the requirements specified in paragraphs (c) and (d) of this section, an owner or operator of a facility at which the total annual benzene quantity from facility waste is equal to or greater than 10

Mg/yr (11 ton/yr) as determined in paragraph (a) of this section may elect to manage and treat the facility waste as follows:

(1) The owner or operator shall manage and treat facility waste with a flow-weighted annual average water content of less than 10 percent in accordance with the requirements of paragraph (c)(1) of this section; and

(2) The owner or operator shall manage and treat facility waste (including remediation and process unit turnaround waste) with a flow-weighted annual average water content of 10 percent or greater, on a volume basis as total water, and each waste stream that is mixed with water or wastes at any time such that the resulting mixture has an annual water content greater than 10 percent, in accordance with the following:

(i) The benzene quantity for the wastes described in paragraph (e)(2) of this section must be equal to or less than 6.0 Mg/yr (6.6 ton/yr), as determined in §61.355(k). Wastes as described in paragraph (e)(2) of this section that are transferred offsite shall be included in the determination of benzene quantity as provided in §61.355(k). The provisions of paragraph (f) of this section shall not apply to any owner or operator who elects to comply with the provisions of paragraph (e) of this section.

(ii) The determination of benzene quantity for each waste stream defined in paragraph (e)(2) of this section shall be made in accordance with §61.355(k).

(f) Rather than treating the waste onsite, an owner or operator may elect to comply with paragraph (c)(1)(i) of this section by transferring the waste offsite to another facility where the waste is treated in accordance with the requirements of paragraph (c)(1)(i) of this section. The owner or operator transferring the waste shall:

(1) Comply with the standards specified in §61.343 through 61.347 of this subpart for each waste management unit that receives or manages the waste prior to shipment of the waste offsite.

(2) Include with each offsite waste shipment a notice stating that the waste contains benzene which is required to be managed and treated in accordance with the provisions of this subpart.

(g) Compliance with this subpart will be determined by review of facility records and results from tests and inspections using methods and procedures specified in §61.355 of this subpart.

(h) Permission to use an alternative means of compliance to meet the requirements of §61.342 through 61.352 of this subpart may be granted by the Administrator as provided in §61.353 of this subpart.

[55 FR 8346, Mar. 7, 1990, as amended at 58 FR 3095, Jan. 7, 1993; 65 FR 62159, 62160, Oct. 17, 2000]

§ 61.343 Standards: Tanks.

(a) Except as provided in paragraph (b) of this section and in §61.351, the owner or operator

must meet the standards in paragraph (a)(1) or (2) of this section for each tank in which the waste stream is placed in accordance with §61.342 (e)(1)(ii). The standards in this section apply to the treatment and storage of the waste stream in a tank, including dewatering.

(1) The owner or operator shall install, operate, and maintain a fixed-roof and closed-vent system that routes all organic vapors vented from the tank to a control device.

(i) The fixed-roof shall meet the following requirements:

(A) The cover and all openings (e.g., access hatches, sampling ports, and gauge wells) shall be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart.

(B) Each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that waste is in the tank except when it is necessary to use the opening for waste sampling or removal, or for equipment inspection, maintenance, or repair.

(C) If the cover and closed-vent system operate such that the tank is maintained at a pressure less than atmospheric pressure, then paragraph (a)(1)(i)(B) of this section does not apply to any opening that meets all of the following conditions:

(1) The purpose of the opening is to provide dilution air to reduce the explosion hazard;

(2) The opening is designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h); and

(3) The pressure is monitored continuously to ensure that the pressure in the tank remains below atmospheric pressure.

(ii) The closed-vent system and control device shall be designed and operated in accordance with the requirements of §61.349 of this subpart.

(2) The owner or operator must install, operate, and maintain an enclosure and closed-vent system that routes all organic vapors vented from the tank, located inside the enclosure, to a control device in accordance with the requirements specified in paragraph (e) of this section.

(b) For a tank that meets all the conditions specified in paragraph (b)(1) of this section, the owner or operator may elect to comply with paragraph (b)(2) of this section as an alternative to the requirements specified in paragraph (a)(1) of this section.

(1) The waste managed in the tank complying with paragraph (b)(2) of this section shall meet all of the following conditions:

(i) Each waste stream managed in the tank must have a flow-weighted annual average

water content less than or equal to 10 percent water, on a volume basis as total water.

(ii) The waste managed in the tank either:

(A) Has a maximum organic vapor pressure less than 5.2 kilopascals (kPa) (0.75 pounds per square inch (psi));

(B) Has a maximum organic vapor pressure less than 27.6 kPa (4.0 psi) and is managed in a tank having design capacity less than 151 m³ (40,000 gal); or

(C) Has a maximum organic vapor pressure less than 76.6 kPa (11.1 psi) and is managed in a tank having a design capacity less than 75 m³ (20,000 gal).

(2) The owner or operator shall install, operate, and maintain a fixed roof as specified in paragraph (a)(1)(i).

(3) For each tank complying with paragraph (b) of this section, one or more devices which vent directly to the atmosphere may be used on the tank provided each device remains in a closed, sealed position during normal operations except when the device needs to open to prevent physical damage or permanent deformation of the tank or cover resulting from filling or emptying the tank, diurnal temperature changes, atmospheric pressure changes or malfunction of the unit in accordance with good engineering and safety practices for handling flammable, explosive, or other hazardous materials.

(c) Each fixed-roof, seal, access door, and all other openings shall be checked by visual inspection initially and quarterly thereafter to ensure that no cracks or gaps occur and that access doors and other openings are closed and gasketed properly.

(d) Except as provided in §61.350 of this subpart, when a broken seal or gasket or other problem is identified, or when detectable emissions are measured, first efforts at repair shall be made as soon as practicable, but not later than 45 calendar days after identification.

(e) Each owner or operator who controls air pollutant emissions by using an enclosure vented through a closed-vent system to a control device must meet the requirements specified in paragraphs (e)(1) through (4) of this section.

(1) The tank must be located inside a total enclosure. The enclosure must be designed and operated in accordance with the criteria for a permanent total enclosure as specified in "Procedure T - Criteria for and Verification of a Permanent or Temporary Total Enclosure" in 40 CFR 52.741, appendix B. The enclosure may have permanent or temporary openings to allow worker access; passage of material into or out of the enclosure by conveyor, vehicles, or other mechanical means; entry of permanent mechanical or electrical equipment; or direct airflow into the enclosure. The owner or operator must perform the verification procedure for the enclosure as specified in section 5.0 of Procedure T initially when the enclosure is first installed and, thereafter, annually. A facility that has conducted an

initial compliance demonstration and that performs annual compliance demonstrations in accordance with the requirements for Tank Level 2 control requirements 40 CFR 264.1084(i) or 40 CFR 265(i) is not required to make repeat demonstrations of initial and continuous compliance for the purposes of this subpart.

(2) The enclosure must be vented through a closed-vent system to a control device that is designed and operated in accordance with the standards for control devices specified in §61.349.

(3) Safety devices, as defined in this subpart, may be installed and operated as necessary on any enclosure, closed-vent system, or control device used to comply with the requirements of paragraphs (e)(1) and (2) of this section.

(4) The closed-vent system must be designed and operated in accordance with the requirements of §61.349.

[55 FR 8346, Mar. 7, 1990, as amended at 55 FR 18331, May 2, 1990; 58 FR 3096, Jan. 7, 1993; 67 FR 68532, Nov. 12, 2002; 68 FR 6082, Feb. 6, 2003; 68 FR 67935, Dec. 4, 2003]

§ 61.344 Standards: Surface impoundments.

(a) The owner or operator shall meet the following standards for each surface impoundment in which waste is placed in accordance with §61.342(c)(1)(ii) of this subpart:

(1) The owner or operator shall install, operate, and maintain on each surface impoundment a cover (e.g., air-supported structure or rigid cover) and closed-vent system that routes all organic vapors vented from the surface impoundment to a control device.

(i) The cover shall meet the following requirements:

(A) The cover and all openings (e.g., access hatches, sampling ports, and gauge wells) shall be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart.

(B) Each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that waste is in the surface impoundment except when it is necessary to use the opening for waste sampling or removal, or for equipment inspection, maintenance, or repair.

(C) If the cover and closed-vent system operate such that the enclosure of the surface impoundment is maintained at a pressure less than atmospheric pressure, then paragraph (a)(1)(i)(B) of this section does not apply to any opening that meets all of the following conditions:

- (1) The purpose of the opening is to provide dilution air to reduce the explosion hazard;
- (2) The opening is designed to operate with no detectable emissions as indicated by an

instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart; and

(3) The pressure is monitored continuously to ensure that the pressure in the enclosure of the surface impoundment remains below atmospheric pressure.

(D) The cover shall be used at all times that waste is placed in the surface impoundment except during removal of treatment residuals in accordance with 40 CFR part 268.4 or closure of the surface impoundment in accordance with 40 CFR 264.228. (Note: the treatment residuals generated by these activities may be subject to the requirements of this part.)

(ii) The closed-vent system and control device shall be designed and operated in accordance with §61.349 of this subpart.

(b) Each cover seal, access hatch, and all other openings shall be checked by visual inspection initially and quarterly thereafter to ensure that no cracks or gaps occur and that access hatches and other openings are closed and gasketed properly.

(c) Except as provided in §61.350 of this subpart, when a broken seal or gasket or other problem is identified, or when detectable emissions are measured, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after identification. [55 FR 8346, Mar. 7, 1990, as amended at 58 FR 3097, Jan. 7, 1993]

§ 61.345 Standards: Containers.

(a) The owner or operator shall meet the following standards for each container in which waste is placed in accordance with §61.342(c)(1)(ii) of this subpart:

(1) The owner or operator shall install, operate, and maintain a cover on each container used to handle, transfer, or store waste in accordance with the following requirements:

(i) The cover and all openings (e.g., bungs, hatches, and sampling ports) shall be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart.

(ii) Except as provided in paragraph (a)(4) of this section, each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that waste is in the container except when it is necessary to use the opening for waste loading, removal, inspection, or sampling.

(2) When a waste is transferred into a container by pumping, the owner or operator shall perform the transfer using a submerged fill pipe. The submerged fill pipe outlet shall extend to within two fill pipe diameters of the bottom of the container while the container is being loaded. During loading of the waste, the cover shall remain in place and all openings shall be maintained in a closed, sealed position except for those openings required for the

submerged fill pipe, those openings required for venting of the container to prevent physical damage or permanent deformation of the container or cover, and any openings complying with paragraph (a)(4) of this section.

(3) Treatment of a waste in a container, including aeration, thermal or other treatment, must be performed by the owner or operator in a manner such that while the waste is being treated the container meets the standards specified in paragraphs (a)(3)(i) through (iii) of this section, except for covers and closed-vent systems that meet the requirements in paragraph (a)(4) of this section.

(i) The owner or operator must either:

(A) Vent the container inside a total enclosure which is exhausted through a closed-vent system to a control device in accordance with the requirements of paragraphs (a)(3)(ii)(A) and (B) of this section; or

(B) Vent the covered or closed container directly through a closed-vent system to a control device in accordance with the requirements of paragraphs (a)(3)(ii)(B) and (C) of this section.

(ii) The owner or operator must meet the following requirements, as applicable to the type of air emission control equipment selected by the owner or operator:

(A) The total enclosure must be designed and operated in accordance with the criteria for a permanent total enclosure as specified in section 5 of the "Procedure T—Criteria for and Verification of a Permanent or Temporary Total Enclosure" in 40 CFR 52.741, appendix B. The enclosure may have permanent or temporary openings to allow worker access; passage of containers through the enclosure by conveyor or other mechanical means; entry of permanent mechanical or electrical equipment; or direct airflow into the enclosure. The owner or operator must perform the verification procedure for the enclosure as specified in section 5.0 of "Procedure T—Criteria for and Verification of a Permanent or Temporary Total Enclosure" initially when the enclosure is first installed and, thereafter, annually. A facility that has conducted an initial compliance demonstration and that performs annual compliance demonstrations in accordance with the Container Level 3 control requirements in 40 CFR 264.1086(e)(2)(i) or 40 CFR 265.1086(e)(2)(i) is not required to make repeat demonstrations of initial and continuous compliance for the purposes of this subpart.

(B) The closed-vent system and control device must be designed and operated in accordance with the requirements of §61.349.

(C) For a container cover, the cover and all openings (e.g., doors, hatches) must be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, initially and thereafter at least once per year by the methods specified in §61.355(h).

(iii) Safety devices, as defined in this subpart, may be installed and operated as necessary on any container, enclosure, closed-vent system, or control device used to comply with the requirements of paragraph (a)(3)(i) of this section.

(4) If the cover and closed-vent system operate such that the container is maintained at a pressure less than atmospheric pressure, the owner or operator may operate the system with an opening that is not sealed and kept closed at all times if the following conditions are met:

(i) The purpose of the opening is to provide dilution air to reduce the explosion hazard;

(ii) The opening is designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by methods specified in §61.355(h); and

(iii) The pressure is monitored continuously to ensure that the pressure in the container remains below atmospheric pressure.

(b) Each cover and all openings shall be visually inspected initially and quarterly thereafter to ensure that they are closed and gasketed properly.

(c) Except as provided in §61.350 of this subpart, when a broken seal or gasket or other problem is identified, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after identification. [55 FR 8346, Mar. 7, 1990, as amended at 58 FR 3097, Jan. 7, 1993; 67 FR 68532, Nov. 12, 2002; 68 FR 67936, Dec. 4, 2003]

§ 61.346 Standards: Individual drain systems.

(a) Except as provided in paragraph (b) of this section, the owner or operator shall meet the following standards for each individual drain system in which waste is placed in accordance with §61.342(c)(1)(ii) of this subpart:

(1) The owner or operator shall install, operate, and maintain on each drain system opening a cover and closed-vent system that routes all organic vapors vented from the drain system to a control device.

(i) The cover shall meet the following requirements:

(A) The cover and all openings (e.g., access hatches, sampling ports) shall be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart.

(B) Each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that waste is in the drain system except when it is necessary to use the opening for waste sampling or removal, or for equipment inspection, maintenance, or repair.

(C) If the cover and closed-vent system operate such that the individual drain system is maintained at a pressure less than atmospheric

pressure, then paragraph (a)(1)(i)(B) of this section does not apply to any opening that meets all of the following conditions:

(1) The purpose of the opening is to provide dilution air to reduce the explosion hazard;

(2) The opening is designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h); and

(3) The pressure is monitored continuously to ensure that the pressure in the individual drain system remains below atmospheric pressure.

(ii) The closed-vent system and control device shall be designed and operated in accordance with §61.349 of this subpart.

(2) Each cover seal, access hatch, and all other openings shall be checked by visual inspection initially and quarterly thereafter to ensure that no cracks or gaps occur and that access hatches and other openings are closed and gasketed properly.

(3) Except as provided in §61.350 of this subpart, when a broken seal or gasket or other problem is identified, or when detectable emissions are measured, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after identification.

(b) As an alternative to complying with paragraph (a) of this section, an owner or operator may elect to comply with the following requirements:

(1) Each drain shall be equipped with water seal controls or a tightly sealed cap or plug.

(2) Each junction box shall be equipped with a cover and may have a vent pipe. The vent pipe shall be at least 90 cm (3 ft) in length and shall not exceed 10.2 cm (4 in) in diameter.

(i) Junction box covers shall have a tight seal around the edge and shall be kept in place at all times, except during inspection and maintenance.

(ii) One of the following methods shall be used to control emissions from the junction box vent pipe to the atmosphere:

(A) Equip the junction box with a system to prevent the flow of organic vapors from the junction box vent pipe to the atmosphere during normal operation. An example of such a system includes use of water seal controls on the junction box. A flow indicator shall be installed, operated, and maintained on each junction box vent pipe to ensure that organic vapors are not vented from the junction box to the atmosphere during normal operation.

(B) Connect the junction box vent pipe to a closed-vent system and control device in accordance with §61.349 of this subpart.

(3) Each sewer line shall not be open to the atmosphere and shall be covered or enclosed in a manner so as to have no visual gaps or cracks in joints, seals, or other emission interfaces.

(4) Equipment installed in accordance with paragraphs (b)(1), (b)(2), or (b)(3) of this

section shall be inspected as follows:

(i) Each drain using water seal controls shall be checked by visual or physical inspection initially and thereafter quarterly for indications of low water levels or other conditions that would reduce the effectiveness of water seal controls.

(ii) Each drain using a tightly sealed cap or plug shall be visually inspected initially and thereafter quarterly to ensure caps or plugs are in place and properly installed.

(iii) Each junction box shall be visually inspected initially and thereafter quarterly to ensure that the cover is in place and to ensure that the cover has a tight seal around the edge.

(iv) The unburied portion of each sewer line shall be visually inspected initially and thereafter quarterly for indication of cracks, gaps, or other problems that could result in benzene emissions.

(5) Except as provided in §61.350 of this subpart, when a broken seal, gap, crack or other problem is identified, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after identification.

[55 FR 8346, Mar. 7, 1990, as amended at 55 FR 37231, Sept. 10, 1990; 58 FR 3097, Jan. 7, 1993]

§ 61.347 Standards: Oil-water separators.

(a) Except as provided in §61.352 of this subpart, the owner or operator shall meet the following standards for each oil-water separator in which waste is placed in accordance with §61.342(c)(1)(ii) of this subpart:

(1) The owner or operator shall install, operate, and maintain a fixed-roof and closed-vent system that routes all organic vapors vented from the oil-water separator to a control device.

(i) The fixed-roof shall meet the following requirements:

(A) The cover and all openings (e.g., access hatches, sampling ports, and gauge wells) shall be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart.

(B) Each opening shall be maintained in a closed, sealed position (e.g., covered by a lid that is gasketed and latched) at all times that waste is in the oil-water separator except when it is necessary to use the opening for waste sampling or removal, or for equipment inspection, maintenance, or repair.

(C) If the cover and closed-vent system operate such that the oil-water separator is maintained at a pressure less than atmospheric pressure, then paragraph (a)(1)(i)(B) of this section does not apply to any opening that meets all of the following conditions:

(1) The purpose of the opening is to provide dilution air to reduce the explosion hazard;

(2) The opening is designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h); and

(3) The pressure is monitored continuously to ensure that the pressure in the oil-water separator remains below atmospheric pressure.

(ii) The closed-vent system and control device shall be designed and operated in accordance with the requirements of §61.349 of this subpart.

(b) Each cover seal, access hatch, and all other openings shall be checked by visual inspection initially and quarterly thereafter to ensure that no cracks or gaps occur between the cover and oil-water separator wall and that access hatches and other openings are closed and gasketed properly.

(c) Except as provided in §61.350 of this subpart, when a broken seal or gasket or other problem is identified, or when detectable emissions are measured, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after identification. [55 FR 8346, Mar. 7, 1990, as amended at 58 FR 3098, Jan. 7, 1993]

§ 61.348 Standards: Treatment processes.

(a) Except as provided in paragraph (a)(5) of this section, the owner or operator shall treat the waste stream in accordance with the following requirements:

(1) The owner or operator shall design, install, operate, and maintain a treatment process that either:

(i) Removes benzene from the waste stream to a level less than 10 parts per million by weight (ppmw) on a flow-weighted annual average basis,

(ii) Removes benzene from the waste stream by 99 percent or more on a mass basis, or

(iii) Destroys benzene in the waste stream by incinerating the waste in a combustion unit that achieves a destruction efficiency of 99 percent or greater for benzene.

(2) Each treatment process complying with paragraphs (a)(1)(i) or (a)(1)(ii) of this section shall be designed and operated in accordance with the appropriate waste management unit standards specified in §61.343 through 61.347 of this subpart. For example, if a treatment process is a tank, then the owner or operator shall comply with §61.343 of this subpart.

(3) For the purpose of complying with the requirements specified in paragraph (a)(1)(i) of this section, the intentional or unintentional reduction in the benzene concentration of a waste stream by dilution of the waste stream with other wastes or materials is not allowed.

(4) An owner or operator may aggregate or mix together individual waste streams to create a combined waste stream for the purpose of facilitating treatment of waste to comply with the requirements of paragraph (a)(1) of this section except as provided in paragraph (a)(5)

of this section.

(5) If an owner or operator aggregates or mixes any combination of process wastewater, product tank drawdown, or landfill leachate subject to §61.342(c)(1) of this subpart together with other waste streams to create a combined waste stream for the purpose of facilitating management or treatment of waste in a wastewater treatment system, then the wastewater treatment system shall be operated in accordance with paragraph (b) of this section. These provisions apply to above-ground wastewater treatment systems as well as those that are at or below ground level.

(b) Except for facilities complying with §61.342(e), the owner or operator that aggregates or mixes individual waste streams as defined in paragraph (a)(5) of this section for management and treatment in a wastewater treatment system shall comply with the following requirements:

(1) The owner or operator shall design and operate each waste management unit that comprises the wastewater treatment system in accordance with the appropriate standards specified in §61.343 through 61.347 of this subpart.

(2) The provisions of paragraph (b)(1) of this section do not apply to any waste management unit that the owner or operator demonstrates to meet the following conditions initially and, thereafter, at least once per year:

(i) The benzene content of each waste stream entering the waste management unit is less than 10 ppmw on a flow-weighted annual average basis as determined by the procedures specified in §61.355(c) of this subpart; and

(ii) The total annual benzene quantity contained in all waste streams managed or treated in exempt waste management units comprising the facility wastewater treatment systems is less than 1 Mg/yr (1.1 ton/yr). For this determination, total annual benzene quantity shall be calculated as follows:

(A) The total annual benzene quantity shall be calculated as the sum of the individual benzene quantities determined at each location where a waste stream first enters an exempt waste management unit. The benzene quantity discharged from an exempt waste management unit shall not be included in this calculation.

(B) The annual benzene quantity in a waste stream managed or treated in an enhanced biodegradation unit shall not be included in the calculation of the total annual benzene quantity, if the enhanced biodegradation unit is the first exempt unit in which the waste is managed or treated. A unit shall be considered enhanced biodegradation if it is a suspended-growth process that generates biomass, uses recycled biomass, and periodically removes biomass from the process. An enhanced biodegradation unit typically operates at a food-to-microorganism ratio in the range of 0.05 to 1.0 kg of biological oxygen demand per kg of biomass per day, a mixed liquor suspended solids ratio in the range of 1 to 8 grams per liter (0.008 to

0.7 pounds per liter), and a residence time in the range of 3 to 36 hours.

(c) The owner and operator shall demonstrate that each treatment process or wastewater treatment system unit, except as provided in paragraph (d) of this section, achieves the appropriate conditions specified in paragraphs (a) or (b) of this section in accordance with the following requirements:

(1) Engineering calculations in accordance with requirements specified in §61.356(e) of this subpart; or

(2) Performance tests conducted using the test methods and procedures that meet the requirements specified in §61.355 of this subpart.

(d) A treatment process or waste stream is in compliance with the requirements of this subpart and exempt from the requirements of paragraph (c) of this section provided that the owner or operator documents that the treatment process or waste stream is in compliance with other regulatory requirements as follows:

(1) The treatment process is a hazardous waste incinerator for which the owner or operator has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 264, subpart O;

(2) The treatment process is an industrial furnace or boiler burning hazardous waste for energy recovery for which the owner or operator has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 266, subpart D;

(3) The waste stream is treated by a means or to a level that meets benzene-specific treatment standards in accordance with the Land Disposal Restrictions under 40 CFR part 268, and the treatment process is designed and operated with a closed-vent system and control device meeting the requirements of §61.349 of this subpart;

(4) The waste stream is treated by a means or to a level that meets benzene-specific effluent limitations or performance standards in accordance with the Effluent Guidelines and Standards under 40 CFR parts 401-464, and the treatment process is designed and operated with a closed-vent system and control device meeting the requirements of §61.349 of this subpart; or

(5) The waste stream is discharged to an underground injection well for which the owner or operator has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 122.

(e) Except as specified in paragraph (e)(3) of this section, if the treatment process or wastewater treatment system unit has any openings (e.g., access doors, hatches, etc.), all such openings shall be sealed (e.g., gasketed, latched, etc.) and kept closed at all times when waste is being treated, except during inspection and maintenance.

(1) Each seal, access door, and all other openings shall be checked by visual

inspections initially and quarterly thereafter to ensure that no cracks or gaps occur and that openings are closed and gasketed properly.

(2) Except as provided in §61.350 of this subpart, when a broken seal or gasket or other problem is identified, first efforts at repair shall be made as soon as practicable, but not later than 15 calendar days after identification.

(3) If the cover and closed-vent system operate such that the treatment process and wastewater treatment system unit are maintained at a pressure less than atmospheric pressure, the owner or operator may operate the system with an opening that is not sealed and kept closed at all times if the following conditions are met:

(i) The purpose of the opening is to provide dilution air to reduce the explosion hazard;

(ii) The opening is designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h); and

(iii) The pressure is monitored continuously to ensure that the pressure in the treatment process and wastewater treatment system unit remain below atmospheric pressure.

(f) Except for treatment processes complying with paragraph (d) of this section, the Administrator may request at any time an owner or operator demonstrate that a treatment process or wastewater treatment system unit meets the applicable requirements specified in paragraphs (a) or (b) of this section by conducting a performance test using the test methods and procedures as required in §61.355 of this subpart.

(g) The owner or operator of a treatment process or wastewater treatment system unit that is used to comply with the provisions of this section shall monitor the unit in accordance with the applicable requirements in §61.354 of this subpart.

[55 FR 8346, Mar. 7, 1990, as amended at 55 FR 37231, Sept. 10, 1990; 58 FR 3098, Jan. 7, 1993; 65 FR 62160, Oct. 17, 2000]

§ 61.349 Standards: Closed-vent systems and control devices.

(a) For each closed-vent system and control device used to comply with standards in accordance with §61.343 through 61.348 of this subpart, the owner or operator shall properly design, install, operate, and maintain the closed-vent system and control device in accordance with the following requirements:

(1) The closed-vent system shall:

(i) Be designed to operate with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background, as determined initially and thereafter at least once per year by the methods specified in §61.355(h) of this subpart.

(ii) Vent systems that contain any bypass line that could divert the vent stream away from a control device used to comply with the provisions of this subpart shall install, maintain, and operate according to the

manufacturer's specifications a flow indicator that provides a record of vent stream flow away from the control device at least once every 15 minutes, except as provided in paragraph (a)(1)(ii)(B) of this section.

(A) The flow indicator shall be installed at the entrance to any bypass line that could divert the vent stream away from the control device to the atmosphere.

(B) Where the bypass line valve is secured in the closed position with a car-seal or a lock-and-key type configuration, a flow indicator is not required.

(iii) All gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place.

(iv) For each closed-vent system complying with paragraph (a) of this section, one or more devices which vent directly to the atmosphere may be used on the closed-vent system provided each device remains in a closed, sealed position during normal operations except when the device needs to open to prevent physical damage or permanent deformation of the closed-vent system resulting from malfunction of the unit in accordance with good engineering and safety practices for handling flammable, explosive, or other hazardous materials.

(2) The control device shall be designed and operated in accordance with the following conditions:

(i) An enclosed combustion device (e.g., a vapor incinerator, boiler, or process heater) shall meet one of the following conditions:

(A) Reduce the organic emissions vented to it by 95 weight percent or greater;

(B) Achieve a total organic compound concentration of 20 ppmv (as the sum of the concentrations for individual compounds using Method 18) on a dry basis corrected to 3 percent oxygen; or

(C) Provide a minimum residence time of 0.5 seconds at a minimum temperature of 760°C (1,400°F). If a boiler or process heater issued as the control device, then the vent stream shall be introduced into the flame zone of the boiler or process heater.

(ii) A vapor recovery system (e.g., a carbon adsorption system or a condenser) shall recover or control the organic emissions vented to it with an efficiency of 95 weight percent or greater, or shall recover or control the benzene emissions vented to it with an efficiency of 98 weight percent or greater.

(iii) A flare shall comply with the requirements of 40 CFR 60.18.

(iv) A control device other than those described in paragraphs (a)(2) (i) through (iii) of this section may be used provided that the following conditions are met:

(A) The device shall recover or control the organic emissions vented to it with an efficiency of 95 weight percent or greater, or shall recover or control the benzene emissions vented to it with an efficiency of 98 weight percent or greater.

(B) The owner or operator shall develop test data and design information that documents the control device will achieve an emission control efficiency of either 95 percent or greater for organic compounds or 98 percent or greater for benzene.

(C) The owner or operator shall identify:

(1) The critical operating parameters that affect the emission control performance of the device;

(2) The range of values of these operating parameters that ensure the emission control efficiency specified in paragraph (a)(2)(iv)(A) of this section is maintained during operation of the device; and

(3) How these operating parameters will be monitored to ensure the proper operation and maintenance of the device.

(D) The owner or operator shall submit the information and data specified in paragraphs (a)(2)(iv) (B) and (C) of this section to the Administrator prior to operation of the alternative control device.

(E) The Administrator will determine, based on the information submitted under paragraph (a)(2)(iv)(D) of this section, if the control device subject to paragraph (a)(2)(iv) of this section meets the requirements of §61.349.

The control device subject to paragraph (a)(2)(iv) of this section may be operated prior to receiving approval from the Administrator. However, if the Administrator determines that the control device does not meet the requirements of §61.349, the facility may be subject to enforcement action beginning from the time the control device began operation.

(b) Each closed-vent system and control device used to comply with this subpart shall be operated at all times when waste is placed in the waste management unit vented to the control device except when maintenance or repair of the waste management unit cannot be completed without a shutdown of the control device.

(c) An owner and operator shall demonstrate that each control device, except for a flare, achieves the appropriate conditions specified in paragraph (a)(2) of this section by using one of the following methods:

(1) Engineering calculations in accordance with requirements specified in §61.356(f) of this subpart; or

(2) Performance tests conducted using the test methods and procedures that meet the requirements specified in §61.355 of this subpart.

(d) An owner or operator shall demonstrate compliance of each flare in accordance with paragraph (a)(2)(iii) of this section.

(e) The Administrator may request at any time an owner or operator demonstrate that a control device meets the applicable conditions specified in paragraph (a)(2) of this section by conducting a performance test using the test methods and procedures as required in §61.355, and for control devices subject to paragraph (a)(2)(iv) of this section, the

Administrator may specify alternative test methods and procedures, as appropriate.

(f) Each closed-vent system and control device shall be visually inspected initially and quarterly thereafter. The visual inspection shall include inspection of ductwork and piping and connections to covers and control devices for evidence of visible defects such as holes in ductwork or piping and loose connections.

(g) Except as provided in §61.350 of this subpart, if visible defects are observed during an inspection, or if other problems are identified, or if detectable emissions are measured, a first effort to repair the closed-vent system and control device shall be made as soon as practicable but no later than 5 calendar days after detection. Repair shall be completed no later than 15 calendar days after the emissions are detected or the visible defect is observed.

(h) The owner or operator of a control device that is used to comply with the provisions of this section shall monitor the control device in accordance with §61.354(c) of this subpart.

[55 FR 8346, Mar. 7, 1990; 55 FR 12444, Apr. 3, 1990, as amended at 55 FR 37231, Sept. 10, 1990; 58 FR 3098, Jan. 7, 1993; 65 FR 62160, Oct. 17, 2000]

§ 61.350 Standards: Delay of repair.

(a) Delay of repair of facilities or units that are subject to the provisions of this subpart will be allowed if the repair is technically impossible without a complete or partial facility or unit shutdown.

(b) Repair of such equipment shall occur before the end of the next facility or unit shutdown.

§ 61.351 Alternative standards for tanks.

(a) As an alternative to the standards for tanks specified in §61.343 of this subpart, an owner or operator may elect to comply with one of the following:

(1) A fixed roof and internal floating roof meeting the requirements in 40 CFR 60.112b(a)(1);

(2) An external floating roof meeting the requirements of 40 CFR 60.112b (a)(2); or

(3) An alternative means of emission limitation as described in 40 CFR 60.114b.

(b) If an owner or operator elects to comply with the provisions of this section, then the owner or operator is exempt from the provisions of §61.343 of this subpart applicable to the same facilities.

[55 FR 8346, Mar. 7, 1990, as amended at 55 FR 37231, Sept. 10, 1990]

§ 61.352 Alternative standards for oil-water separators.

(a) As an alternative to the standards for oil-water separators specified in §61.347 of this subpart, an owner or operator may elect to comply with one of the following:

(1) A floating roof meeting the requirements in 40 CFR 60.693-2(a); or

(2) An alternative means of emission limitation as described in 40 CFR 60.694.

(b) For portions of the oil-water separator where it is infeasible to construct and operate a floating roof, such as over the weir mechanism, a fixed roof vented to a vapor control device that meets the requirements in §61.347 and 61.349 of this subpart shall be installed and operated.

(c) Except as provided in paragraph (b) of this section, if an owner or operator elects to comply with the provisions of this section, then the owner or operator is exempt from the provisions in §61.347 of this subpart applicable to the same facilities.

§ 61.353 Alternative means of emission limitation.

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in benzene emissions at least equivalent to the reduction in benzene emissions from the source achieved by the applicable design, equipment, work practice, or operational requirements in §61.342 through 61.349, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with that requirement. The notice may condition the permission on requirements related to the operation and maintenance of the alternative means.

(b) Any notice under paragraph (a) of this section shall be published only after public notice and an opportunity for a hearing.

(c) Any person seeking permission under this section shall collect, verify, and submit to the Administrator information showing that the alternative means achieves equivalent emission reductions.

[55 FR 8346, Mar. 7, 1990, as amended at 58 FR 3099, Jan. 7, 1993]

§ 61.354 Monitoring of operations.

(a) Except for a treatment process or waste stream complying with §61.348(d), the owner or operator shall monitor each treatment process or wastewater treatment system unit to ensure the unit is properly operated and maintained by one of the following monitoring procedures:

(1) Measure the benzene concentration of the waste stream exiting the treatment process complying with §61.348(a)(1)(i) at least once per month by collecting and analyzing one or more samples using the procedures specified in §61.355(c)(3).

(2) Install, calibrate, operate, and maintain according to manufacturer's specifications equipment to continuously monitor and record a process parameter (or parameters) for the treatment process or wastewater treatment system unit that indicates proper system operation. The owner or operator shall inspect at least once each operating day the data recorded by the monitoring equipment (e.g., temperature monitor or flow indicator) to ensure that the unit is operating properly.

(b) If an owner or operator complies with the

requirements of §61.348(b), then the owner or operator shall monitor each wastewater treatment system to ensure the unit is properly operated and maintained by the appropriate monitoring procedure as follows:

(1) For the first exempt waste management unit in each waste treatment train, other than an enhanced biodegradation unit, measure the flow rate, using the procedures of §61.355(b), and the benzene concentration of each waste stream entering the unit at least once per month by collecting and analyzing one or more samples using the procedures specified in §61.355(c)(3).

(2) For each enhanced biodegradation unit that is the first exempt waste management unit in a treatment train, measure the benzene concentration of each waste stream entering the unit at least once per month by collecting and analyzing one or more samples using the procedures specified in §61.355(c)(3).

(c) An owner or operator subject to the requirements in §61.349 of this subpart shall install, calibrate, maintain, and operate according to the manufacturer's specifications a device to continuously monitor the control device operation as specified in the following paragraphs, unless alternative monitoring procedures or requirements are approved for that facility by the Administrator. The owner or operator shall inspect at least once each operating day the data recorded by the monitoring equipment (e.g., temperature monitor or flow indicator) to ensure that the control device is operating properly.

(1) For a thermal vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device shall have an accuracy of ± 1 percent of the temperature being monitored in $^{\circ}\text{C}$ or $\pm 0.5^{\circ}\text{C}$, whichever is greater. The temperature sensor shall be installed at a representative location in the combustion chamber.

(2) For a catalytic vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device shall be capable of monitoring temperature at two locations, and have an accuracy of ± 1 percent of the temperature being monitored in $^{\circ}\text{C}$ or $\pm 0.5^{\circ}\text{C}$, whichever is greater. 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.

(3) For a flare, a monitoring device in accordance with 40 CFR 60.18(f)(2) equipped with a continuous recorder.

(4) For a boiler or process heater having a design heat input capacity less than 44 MW (150×10^6 BTU/hr), a temperature monitoring device equipped with a continuous recorder. The device shall have an accuracy of ± 1 percent of the temperature being monitored in $^{\circ}\text{C}$ or $\pm 0.5^{\circ}\text{C}$, whichever is greater. The temperature sensor shall be installed at a representative location in the combustion

chamber

(5) For a boiler or process heater having a design heat input capacity greater than or equal to 44 MW (150 × 10⁶ BTU/hr), a monitoring device equipped with a continuous recorder to measure a parameter(s) that indicates good combustion operating practices are being used.

(6) For a condenser, either:

(i) A monitoring device equipped with a continuous recorder to measure either the concentration level of the organic compounds or the concentration level of benzene in the exhaust vent stream from the condenser; or

(ii) A temperature monitoring device equipped with a continuous recorder. The device shall be capable of monitoring temperature at two locations, and have an accuracy of ± 1 percent of the temperature being monitored in °C or ± 0.5°C, whichever is greater. One temperature sensor shall be installed at a location in the exhaust stream from the condenser, and a second temperature sensor shall be installed at a location in the coolant fluid exiting the condenser.

(7) For a carbon adsorption system that regenerates the carbon bed directly in the control device such as a fixed-bed carbon adsorber, either:

(i) A monitoring device equipped with a continuous recorder to measure either the concentration level of the organic compounds or the benzene concentration level in the exhaust vent stream from the carbon bed; or

(ii) A monitoring device equipped with a continuous recorder to measure a parameter that indicates the carbon bed is regenerated on a regular, predetermined time cycle.

(8) For a vapor recovery system other than a condenser or carbon adsorption system, a monitoring device equipped with a continuous recorder to measure either the concentration level of the organic compounds or the benzene concentration level in the exhaust vent stream from the control device.

(9) For a control device subject to the requirements of §61.349(a)(2)(iv), devices to monitor the parameters as specified in §61.349(a)(2)(iv)(C).

(d) For a carbon adsorption system that does not regenerate the carbon bed directly on site in the control device (e.g., a carbon canister), either the concentration level of the organic compounds or the concentration level of benzene in the exhaust vent stream from the carbon adsorption system shall be monitored on a regular schedule, and the existing carbon shall be replaced with fresh carbon immediately when carbon breakthrough is indicated. The device shall be monitored on a daily basis or at intervals no greater than 20 percent of the design carbon replacement interval, whichever is greater. As an alternative to conducting this monitoring, an owner or operator may replace the carbon in the carbon adsorption system with fresh carbon at a regular predetermined time interval that is less than the carbon replacement

interval that is determined by the maximum design flow rate and either the organic concentration or the benzene concentration in the gas stream vented to the carbon adsorption system.

(e) An alternative operation or process parameter may be monitored if it can be demonstrated that another parameter will ensure that the control device is operated in conformance with these standards and the control device's design specifications.

(f) Owners or operators using a closed-vent system that contains any bypass line that could divert a vent stream from a control device used to comply with the provisions of this subpart shall do the following:

(1) Visually inspect the bypass line valve at least once every month, checking the position of the valve and the condition of the car-seal or closure mechanism required under §61.349(a)(1)(ii) to ensure that the valve is maintained in the closed position and the vent stream is not diverted through the bypass line.

(2) Visually inspect the readings from each flow monitoring device required by §61.349(a)(1)(ii) at least once each operating day to check that vapors are being routed to the control device as required.

(g) Each owner or operator who uses a system for emission control that is maintained at a pressure less than atmospheric pressure with openings to provide dilution air shall install, calibrate, maintain, and operate according to the manufacturer's specifications a device equipped with a continuous recorder to monitor the pressure in the unit to ensure that it is less than atmospheric pressure.

[55 FR 8346, Mar. 7, 1990, as amended at 58 FR 3099, Jan. 7, 1993; 65 FR 62160, Oct. 17, 2000]

§ 61.355 Test methods, procedures, and compliance provisions.

(a) An owner or operator shall determine the total annual benzene quantity from facility waste by the following procedure:

(1) For each waste stream subject to this subpart having a flow-weighted annual average water content greater than 10 percent water, on a volume basis as total water, or is mixed with water or other wastes at any time and the resulting mixture has an annual average water content greater than 10 percent as specified in §61.342(a), the owner or operator shall:

(i) Determine the annual waste quantity for each waste stream using the procedures specified in paragraph (b) of this section.

(ii) Determine the flow-weighted annual average benzene concentration for each waste stream using the procedures specified in paragraph (c) of this section.

(iii) Calculate the annual benzene quantity for each waste stream by multiplying the annual waste quantity of the waste stream times the flow-weighted annual average benzene concentration.

(2) Total annual benzene quantity from facility waste is calculated by adding together the

annual benzene quantity for each waste stream generated during the year and the annual benzene quantity for each process unit turnaround waste annualized according to paragraph (b)(4) of this section.

(3) If the total annual benzene quantity from facility waste is equal to or greater than 10 mg/yr (11 ton/yr), then the owner or operator shall comply with the requirements of §61.342 (c), (d), or (e).

(4) If the total annual benzene quantity from facility waste is less than 10 Mg/yr (11 ton/yr) but is equal to or greater than 1 Mg/yr (1.1 ton/yr), then the owner or operator shall:

(i) Comply with the recordkeeping requirements of §61.356 and reporting requirements of §61.357 of this subpart; and

(ii) Repeat the determination of total annual benzene quantity from facility waste at least once per year and whenever there is a change in the process generating the waste that could cause the total annual benzene quantity from facility waste to increase to 10 Mg/yr (11 ton/yr) or more.

(5) If the total annual benzene quantity from facility waste is less than 1 Mg/yr (1.1 ton/yr), then the owner or operator shall:

(i) Comply with the recordkeeping requirements of §61.356 and reporting requirements of §61.357 of this subpart; and

(ii) Repeat the determination of total annual benzene quantity from facility waste whenever there is a change in the process generating the waste that could cause the total annual benzene quantity from facility waste to increase to 1 Mg/yr (1.1 ton/yr) or more.

(6) The benzene quantity in a waste stream that is generated less than one time per year, except as provided for process unit turnaround waste in paragraph (b)(4) of this section, shall be included in the determination of total annual benzene quantity from facility waste for the year in which the waste is generated unless the waste stream is otherwise excluded from the determination of total annual benzene quantity from facility waste in accordance with paragraphs (a) through (c) of this section. The benzene quantity in this waste stream shall not be annualized or averaged over the time interval between the activities that resulted in generation of the waste, for purposes of determining the total annual benzene quantity from facility waste.

(b) For purposes of the calculation required by paragraph (a) of this section, an owner or operator shall determine the annual waste quantity at the point of waste generation, unless otherwise provided in paragraphs (b) (1), (2), (3), and (4) of this section, by one of the methods given in paragraphs (b) (5) through (7) of this section.

(1) The determination of annual waste quantity for sour water streams that are processed in sour water strippers shall be made at the point that the water exits the sour water stripper.

(2) The determination of annual waste quantity for wastes at coke by-product plants subject to

and complying with the control requirements of §61.132, 61.133, 61.134, or 61.139 of subpart L of this part shall be made at the location that the waste stream exits the process unit component or waste management unit controlled by that subpart or at the exit of the ammonia still, provided that the following conditions are met:

(i) The transfer of wastes between units complying with the control requirements of subpart L of this part, process units, and the ammonia still is made through hard piping or other enclosed system.

(ii) The ammonia still meets the definition of a sour water stripper in §61.341.

(3) The determination of annual waste quantity for wastes that are received at hazardous waste treatment, storage, or disposal facilities from offsite shall be made at the point where the waste enters the hazardous waste treatment, storage, or disposal facility.

(4) The determination of annual waste quantity for each process unit turnaround waste generated only at 2 year or greater intervals, may be made by dividing the total quantity of waste generated during the most recent process unit turnaround by the time period (in the nearest tenth of a year) between the turnaround resulting in generation of the waste and the most recent preceding process turnaround for the unit. The resulting annual waste quantity shall be included in the calculation of the annual benzene quantity as provided in paragraph (a)(1)(iii) of this section for the year in which the turnaround occurs and for each subsequent year until the unit undergoes the next process turnaround. For estimates of total annual benzene quantity as specified in the 90-day report, required under §61.357(a)(1), the owner or operator shall estimate the waste quantity generated during the most recent turnaround, and the time period between turnarounds in accordance with good engineering practices. If the owner or operator chooses not to annualize process unit turnaround waste, as specified in this paragraph, then the process unit turnaround waste quantity shall be included in the calculation of the annual benzene quantity for the year in which the turnaround occurs.

(5) Select the highest annual quantity of waste managed from historical records representing the most recent 5 years of operation or, if the facility has been in service for less than 5 years but at least 1 year, from historical records representing the total operating life of the facility;

(6) Use the maximum design capacity of the waste management unit; or

(7) Use measurements that are representative of maximum waste generation rates.

(c) For the purposes of the calculation required by §61.355(a) of this subpart, an owner or operator shall determine the flow-weighted annual average benzene concentration in a manner that meets the requirements given in paragraph (c)(1) of this section using either of the methods given in paragraphs (c)(2) and

(c)(3) of this section.

(1) The determination of flow-weighted annual average benzene concentration shall meet all of the following criteria:

(i) The determination shall be made at the point of waste generation except for the specific cases given in paragraphs (c)(1)(i)(A) through (D) of this section.

(A) The determination for sour water streams that are processed in sour water strippers shall be made at the point that the water exits the sour water stripper.

(B) The determination for wastes at coke by-product plants subject to and complying with the control requirements of §61.132, 61.133, 61.134, or 61.139 of subpart L of this part shall be made at the location that the waste stream exits the process unit component or waste management unit controlled by that subpart or at the exit of the ammonia still, provided that the following conditions are met:

(1) The transfer of wastes between units complying with the control requirements of subpart L of this part, process units, and the ammonia still is made through hard piping or other enclosed system.

(2) The ammonia still meets the definition of a sour water stripper in §61.341.

(C) The determination for wastes that are received from offsite shall be made at the point where the waste enters the hazardous waste treatment, storage, or disposal facility.

(D) The determination of flow-weighted annual average benzene concentration for process unit turnaround waste shall be made using either of the methods given in paragraph (c)(2) or (c)(3) of this section. The resulting flow-weighted annual average benzene concentration shall be included in the calculation of annual benzene quantity as provided in paragraph (a)(1)(iii) of this section for the year in which the turnaround occurs and for each subsequent year until the unit undergoes the next process unit turnaround.

(ii) Volatilization of the benzene by exposure to air shall not be used in the determination to reduce the benzene concentration.

(iii) Mixing or diluting the waste stream with other wastes or other materials shall not be used in the determination to reduce the benzene concentration.

(iv) The determination shall be made prior to any treatment of the waste that removes benzene, except as specified in paragraphs (c)(1)(i)(A) through (D) of this section.

(v) For wastes with multiple phases, the determination shall provide the weighted-average benzene concentration based on the benzene concentration in each phase of the waste and the relative proportion of the phases.

(2) Knowledge of the waste. The owner or operator shall provide sufficient information to document the flow-weighted annual average benzene concentration of each waste stream. Examples of information that could constitute knowledge include material balances, records

of chemicals purchases, or previous test results provided the results are still relevant to the current waste stream conditions. If test data are used, then the owner or operator shall provide documentation describing the testing protocol and the means by which sampling variability and analytical variability were accounted for in the determination of the flow-weighted annual average benzene concentration for the waste stream. When an owner or operator and the Administrator do not agree on determinations of the flow-weighted annual average benzene concentration based on knowledge of the waste, the procedures under paragraph (c)(3) of this section shall be used to resolve the disagreement.

(3) Measurements of the benzene concentration in the waste stream in accordance with the following procedures:

(i) Collect a minimum of three representative samples from each waste stream. Where feasible, samples shall be taken from an enclosed pipe prior to the waste being exposed to the atmosphere.

(ii) For waste in enclosed pipes, the following procedures shall be used:

(A) Samples shall be collected prior to the waste being exposed to the atmosphere in order to minimize the loss of benzene prior to sampling.

(B) A static mixer shall be installed in the process line or in a by-pass line unless the owner or operator demonstrates that installation of a static mixer in the line is not necessary to accurately determine the benzene concentration of the waste stream.

(C) The sampling tap shall be located within two pipe diameters of the static mixer outlet.

(D) Prior to the initiation of sampling, sample lines and cooling coil shall be purged with at least four volumes of waste.

(E) After purging, the sample flow shall be directed to a sample container and the tip of the sampling tube shall be kept below the surface of the waste during sampling to minimize contact with the atmosphere.

(F) Samples shall be collected at a flow rate such that the cooling coil is able to maintain a waste temperature less than 10°C (50°F).

(G) After filling, the sample container shall be capped immediately (within 5 seconds) to leave a minimum headspace in the container.

(H) The sample containers shall immediately be cooled and maintained at a temperature below 10°C (50°F) for transfer to the laboratory.

(iii) When sampling from an enclosed pipe is not feasible, a minimum of three representative samples shall be collected in a manner to minimize exposure of the sample to the atmosphere and loss of benzene prior to sampling.

(iv) Each waste sample shall be analyzed using one of the following test methods for determining the benzene concentration in a waste stream:

(A) Method 8020, Aromatic Volatile Organics, in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 (incorporation by reference as specified in §61.18 of this part);

(B) Method 8021, Volatile Organic Compounds in Water by Purge and Trap Capillary Column Gas Chromatography with Photoionization and Electrolytic Conductivity Detectors in Series in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 (incorporation by reference as specified in §61.18 of this part);

(C) Method 8240, Gas Chromatography/Mass Spectrometry for Volatile Organics in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 (incorporation by reference as specified in §61.18 of this part);

(D) Method 8260, Gas Chromatography/Mass Spectrometry for Volatile Organics: Capillary Column Technique in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 (incorporation by reference as specified in §61.18 of this part);

(E) Method 602, Purgeable Aromatics, as described in 40 CFR part 136, appendix A, Test Procedures for Analysis of Organic Pollutants, for wastewaters for which this is an approved EPA method; or

(F) Method 624, Purgeables, as described in 40 CFR part 136, appendix A, Test Procedures for Analysis of Organic Pollutants, for wastewaters for which this is an approved EPA method.

(v) The flow-weighted annual average benzene concentration shall be calculated by averaging the results of the sample analyses as follows:

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

Where:

C = Flow-weighted annual average benzene concentration for waste stream, ppmw.

Q_t = Total annual waste quantity for waste stream, kg/yr (lb/yr).

n = Number of waste samples (at least 3).

Q_i = Annual waste quantity for waste stream represented by C_i, kg/yr (lb/yr).

C_i = Measured concentration of benzene in waste sample i, ppmw.

(d) An owner or operator using performance tests to demonstrate compliance of a treatment process with §61.348 (a)(1)(i) shall measure the flow-weighted annual average benzene concentration of the waste stream exiting the treatment process by collecting and analyzing a minimum of three representative samples of the waste stream using the procedures in paragraph (c)(3) of this section. The test shall be conducted under conditions that exist when the treatment process is operating at the highest inlet waste stream flow rate and benzene content expected to occur.

Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a test. The owner or operator shall record all process information as is necessary to document the operating conditions during the test.

(e) An owner or operator using performance tests to demonstrate compliance of a treatment process with §61.348(a)(1)(ii) of this subpart shall determine the percent reduction of benzene in the waste stream on a mass basis by the following procedure:

(1) The test shall be conducted under conditions that exist when the treatment process is operating at the highest inlet waste stream flow rate and benzene content expected to occur. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a test. The owner or operator shall record all process information as is necessary to document the operating conditions during the test.

(2) All testing equipment shall be prepared and installed as specified in the appropriate test methods.

(3) The mass flow rate of benzene entering the treatment process (E_b) shall be determined by computing the product of the flow rate of the waste stream entering the treatment process, as determined by the inlet flow meter, and the benzene concentration of the waste stream, as determined using the sampling and analytical procedures specified in paragraph (c)(2) or (c)(3) of this section. Three grab samples of the waste shall be taken at equally spaced time intervals over a 1-hour period. Each 1-hour period constitutes a run, and the performance test shall consist of a minimum of 3 runs conducted over a 3-hour period. The mass flow rate of benzene entering the treatment process is calculated as follows:

$$E_b = \frac{K}{nx10^6} \left[\sum_{i=1}^n V_i C_i \right]$$

Where:

E_b = Mass flow rate of benzene entering the treatment process, kg/hr (lb/hr).

K = Density of the waste stream, kg/m³ (lb/ft³).

V_i = Average volume flow rate of waste entering the treatment process during each run i, m³/hr (ft³/hr).

C_i = Average concentration of benzene in the waste stream entering the treatment process during each run i, ppmw.

n = Number of runs.

10⁶ = Conversion factor for ppmw.

(4) The mass flow rate of benzene exiting the treatment process (E_a) shall be determined by computing the product of the flow rate of the waste stream exiting the treatment process, as determined by the outlet flow meter or the inlet flow meter, and the benzene concentration of the waste stream, as determined using the

sampling and analytical procedures specified in paragraph (c)(2) or (c)(3) of this section. Three grab samples of the waste shall be taken at equally spaced time intervals over a 1-hour period. Each 1-hour period constitutes a run, and the performance test shall consist of a minimum of 3 runs conducted over the same 3-hour period at which the mass flow rate of benzene entering the treatment process is determined. The mass flow rate of benzene exiting the treatment process is calculated as follows:

$$E_a = \frac{K}{nx10^6} \left[\sum_{i=1}^n V_i C_i \right]$$

Where:

E_a = Mass flow rate of benzene exiting the treatment process, kg/hr (lb/hr).

K = Density of the waste stream, kg/m³ (lb/ft³).

V_i = Average volume flow rate of waste exiting the treatment process during each run i, m³/hr (ft³/hr).

C_i = Average concentration of benzene in the waste stream exiting the treatment process during each run i, ppmw.

n = Number of runs.

10⁶ = Conversion factor for ppmw.

(f) An owner or operator using performance tests to demonstrate compliance of a treatment process with §61.348(a)(1)(iii) of this subpart shall determine the benzene destruction efficiency for the combustion unit by the following procedure:

(1) The test shall be conducted under conditions that exist when the combustion unit is operating at the highest inlet waste stream flow rate and benzene content expected to occur. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a test. The owner or operator shall record all process information necessary to document the operating conditions during the test.

(2) All testing equipment shall be prepared and installed as specified in the appropriate test methods.

(3) The mass flow rate of benzene entering the combustion unit shall be determined by computing the product of the flow rate of the waste stream entering the combustion unit, as determined by the inlet flow meter, and the benzene concentration of the waste stream, as determined using the sampling procedure in paragraph (c)(2) or (c)(3) of this section. Three grab samples of the waste shall be taken at equally spaced time intervals over a 1-hour period. Each 1-hour period constitutes a run, and the performance test shall consist of a minimum of 3 runs conducted over a 3-hour period. The mass flow rate of benzene into the combustion unit is calculated as follows:

$$E_b = \frac{K}{nx10^6} \left[\sum_{i=1}^n V_i C_i \right]$$

Where:

E_b = Mass flow rate of benzene entering the combustion unit, kg/hr (lb/hr).

K = Density of the waste stream, kg/m³ (lb/ft³).

V_i = Average volume flow rate of waste entering the combustion unit during each run i , m³/hour (ft³/hr).

C_i = Average concentration of benzene in the waste stream entering the combustion unit during each run i , ppmv.

n = Number of runs.

10⁶ = Conversion factor for ppmv.

(4) The mass flow rate of benzene exiting the combustion unit exhaust stack shall be determined as follows:

(i) The time period for the test shall not be less than 3 hours during which at least 3 stack gas samples are collected and be the same time period at which the mass flow rate of benzene entering the treatment process is determined. Each sample shall be collected over a 1-hour period (e.g., in a tedlar bag) to represent a time-integrated composite sample and each 1-hour period shall correspond to the periods when the waste feed is sampled.

(ii) A run shall consist of a 1-hour period during the test. For each run:

(A) The reading from each measurement shall be recorded;

(B) The volume exhausted shall be determined using method 2, 2A, 2C, or 2D from appendix A of 40 CFR part 60, as appropriate.

(C) The average benzene concentration in the exhaust downstream of the combustion unit shall be determined using method 18 from appendix A of 40 CFR part 60.

(iii) The mass of benzene emitted during each run shall be calculated as follows:

$$M_i = D_b VC(10^{-6})$$

Where:

M_i = Mass of benzene emitted during run i , kg (lb).

V = Volume of air-vapor mixture exhausted at standard conditions, m³ (ft³).

C = Concentration of benzene measured in the exhaust, ppmv.

D_b = Density of benzene, 3.24 kg/m³ (0.202 lb/ft³).

10⁶ = Conversion factor for ppmv.

(iv) The benzene mass emission rate in the exhaust shall be calculated as follows:

$$E_a = \frac{\sum_{i=1}^n M_i}{T}$$

Where:

E_a = Mass flow rate of benzene emitted from the combustion unit, kg/hr (lb/hr).

M_i = Mass of benzene emitted during run i , kg (lb).

T = Total time of all runs, hour.

n = Number of runs.

(5) The benzene destruction efficiency for the combustion unit shall be calculated as follows:

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

Where:

R = Benzene destruction efficiency for the combustion unit, percent.

E_b = Mass flow rate of benzene entering the combustion unit, kg/hr (lb/hr).

E_a = Mass flow of benzene emitted from the combustion unit, kg/hr (lb/hr).

(g) An owner or operator using performance tests to demonstrate compliance of a wastewater treatment system unit with §61.348(b) shall measure the flow-weighted annual average benzene concentration of the wastewater stream where the waste stream enters an exempt waste management unit by collecting and analyzing a minimum of three representative samples of the waste stream using the procedures in paragraph (c)(3) of this section. The test shall be conducted under conditions that exist when the wastewater treatment system is operating at the highest inlet wastewater stream flow rate and benzene content expected to occur. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a test. The owner or operator shall record all process information as is necessary to document the operating conditions during the test.

(h) An owner or operator shall test equipment for compliance with no detectable emissions as required in §61.343 through 61.347, and §61.349 of this subpart in accordance with the following requirements:

(1) Monitoring shall comply with method 21 from appendix A of 40 CFR part 60.

(2) The detection instrument shall meet the performance criteria of method 21.

(3) The instrument shall be calibrated before use on each day of its use by the procedures specified in method 21.

(4) Calibration gases shall be:

(i) Zero air (less than 10 ppm of hydrocarbon in air); and

(ii) A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.

(5) The background level shall be determined as set forth in method 21.

(6) The instrument probe shall be traversed around all potential leak interfaces as close as possible to the interface as described in method 21.

(7) The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared to 500 ppm for determining compliance.

(i) An owner or operator using a performance test to demonstrate compliance of a control

device with either the organic reduction efficiency requirement or the benzene reduction efficiency requirement specified under §61.349(a)(2) shall use the following procedures:

(1) The test shall be conducted under conditions that exist when the waste management unit vented to the control device is operating at the highest load or capacity level expected to occur. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a test. The owner or operator shall record all process information necessary to document the operating conditions during the test.

(2) Sampling sites shall be selected using method 1 or 1A from appendix A of 40 CFR part 60, as appropriate.

(3) The mass flow rate of either the organics or benzene entering and exiting the control device shall be determined as follows:

(i) The time period for the test shall not be less than 3 hours during which at least 3 stack gas samples are collected. Samples of the vent stream entering and exiting the control device shall be collected during the same time period. Each sample shall be collected over a 1-hour period (e.g., in a tedlar bag) to represent a time-integrated composite sample.

(ii) A run shall consist of a 1-hour period during the test. For each run:

(A) The reading from each measurement shall be recorded;

(B) The volume exhausted shall be determined using method 2, 2A, 2C, or 2D from appendix A of 40 CFR part 60, as appropriate;

(C) The organic concentration or the benzene concentration, as appropriate, in the vent stream entering and exiting the control shall be determined using Method 18 from Appendix A of 40 CFR part 60.

(iii) The mass of organics or benzene entering and exiting the control device during each run shall be calculated as follows:

$$M_{aj} = KV_{aj} \left[\sum_{i=1}^n C_{ai} MW_i \right] (10^{-6})$$

$$M_{bj} = KV_{bj} \left[\sum_{i=1}^n C_{bi} MW_i \right] (10^{-6})$$

Where:

M_{aj} = Mass of organics or benzene in the vent stream entering the control device during run j , kg (lb).

M_{bj} = Mass of organics or benzene in the vent stream exiting the control device during run j , kg (lb).

V_{aj} = Volume of vent stream entering the control device during run j , at standard conditions, m³ (ft³).

V_{bj} = Volume of vent stream exiting the control device during run j , at standard conditions, m³ (ft³).

C_{ai} = Organic concentration of compound i or the benzene concentration measured in the

vent stream entering the control device as determined by Method 18, ppm by volume on a dry basis.

C_{bi} = Organic concentration of compound i or the benzene concentration measured in the vent stream exiting the control device as determined by Method 18, ppm by volume on a dry basis.

MW_i = Molecular weight of organic compound i in the vent stream, or the molecular weight of benzene, kg/kg-mol (lb/lb-mol).

n = Number of organic compounds in the vent stream; if benzene reduction efficiency is being demonstrated, then $n=1$

K = Conversion factor for molar volume at standard conditions (293°K and 760 mm Hg (527°R and 14.7 psia)).

10^{-6} = Conversion factor for ppmv.

(iv) The mass flow rate of organics or benzene entering and exiting the control device shall be calculated as follows:

$$E_a = \frac{\sum_{j=1}^n M_{aj}}{T}$$

$$E_b = \frac{\sum_{j=1}^n M_{bj}}{T}$$

Where:

E_a = Mass flow rate of organics or benzene entering the control device, kg/hr (lb/hr).

E_b = Mass flow rate of organics or benzene exiting the control device, kg/hr (lb/hr).

M_{aj} = Mass of organics or benzene in the vent stream entering the control device during run j , kg (lb).

M_{bj} = Mass of organics or benzene in vent stream exiting the control device during run j , kg (lb).

T = Total time of all runs, hr.

n = Number of runs.

(4) The organic reduction efficiency or the benzene reduction efficiency for the control device shall be calculated as follows:

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

Where:

R = Total organic reduction efficiency or benzene reduction efficiency for the control device, percent.

E_a = Mass flow rate of organics or benzene entering the control device, kg/hr (lb/hr).

E_b = Mass flow rate of organics or benzene emitted from the control device, kg/hr (lb/hr).

(j) An owner or operator shall determine the benzene quantity for the purposes of the calculation required by §61.342 (c)(3)(ii)(B) according to the provisions of paragraph (a) of this section, except that the procedures in

paragraph (a) of this section shall also apply to wastes with a water content of 10 percent or less.

(k) An owner or operator shall determine the benzene quantity for the purposes of the calculation required by §61.342(e)(2) by the following procedure:

(1) For each waste stream that is not controlled for air emissions in accordance with §§61.343, 61.344, 61.345, 61.346, 61.347, or 61.348(a), as applicable to the waste management unit that manages the waste, the benzene quantity shall be determined as specified in paragraph (a) of this section, except that paragraph (b)(4) of this section shall not apply, i.e., the waste quantity for process unit turnaround waste is not annualized but shall be included in the determination of benzene quantity for the year in which the waste is generated for the purposes of the calculation required by §61.342(e)(2).

(2) For each waste stream that is controlled for air emissions in accordance with §§61.343, 61.344, 61.345, 61.346, 61.347, or 61.348(a), as applicable to the waste management unit that manages the waste, the determination of annual waste quantity and flow-weighted annual average benzene concentration shall be made at the first applicable location as described in paragraphs (k)(2)(i), (k)(2)(ii), and (k)(2)(iii) of this section and prior to any reduction of benzene concentration through volatilization of the benzene, using the methods given in (k)(2)(iv) and (k)(2)(v) of this section.

(i) Where the waste stream enters the first waste management unit not complying with §§61.343, 61.344, 61.345, 61.346, 61.347, and 61.348(a) that are applicable to the waste management unit,

(ii) For each waste stream that is managed or treated only in compliance with §§61.343 through 61.348(a) up to the point of final direct discharge from the facility, the determination of benzene quantity shall be prior to any reduction of benzene concentration through volatilization of the benzene, or

(iii) For wastes managed in units controlled for air emissions in accordance with §§61.343, 61.344, 61.345, 61.346, 61.347, and 61.348(a), and then transferred offsite, facilities shall use the first applicable offsite location as described in paragraphs (k)(2)(i) and (k)(2)(ii) of this section if they have documentation from the offsite facility of the benzene quantity at this location. Facilities without this documentation for offsite wastes shall use the benzene quantity determined at the point where the transferred waste leaves the facility.

(iv) Annual waste quantity shall be determined using the procedures in paragraphs (b)(5), (6), or (7) of this section, and

(v) The flow-weighted annual average benzene concentration shall be determined using the procedures in paragraphs (c)(2) or (3) of this section.

(3) The benzene quantity in a waste stream that is generated less than one time per year, including process unit turnaround waste, shall be included in the determination of benzene quantity as determined in paragraph (k)(6) of this section for the year in which the waste is generated. The benzene quantity in this waste stream shall not be annualized or averaged over the time interval between the activities that resulted in generation of the waste for purposes of determining benzene quantity as determined in paragraph (k)(6) of this section.

(4) The benzene in waste entering an enhanced biodegradation unit, as defined in §61.348(b)(2)(ii)(B), shall not be included in the determination of benzene quantity, determined in paragraph (k)(6) of this section, if the following conditions are met:

(i) The benzene concentration for each waste stream entering the enhanced biodegradation unit is less than 10 ppmw on a flow-weighted annual average basis, and

(ii) All prior waste management units managing the waste comply with §§61.343, 61.344, 61.345, 61.346, 61.347 and 61.348(a).

(5) The benzene quantity for each waste stream in paragraph (k)(2) of this section shall be determined by multiplying the annual waste quantity of each waste stream times its flow-weighted annual average benzene concentration.

(6) The total benzene quantity for the purposes of the calculation required by §61.342(e)(2) shall be determined by adding together the benzene quantities determined in paragraphs (k)(1) and (k)(5) of this section for each applicable waste stream.

(7) If the benzene quantity determined in paragraph (6) of this section exceeds 6.0 Mg/yr only because of multiple counting of the benzene quantity for a waste stream, the owner or operator may use the following procedures for the purposes of the calculation required by §61.342(e)(2):

(i) Determine which waste management units are involved in the multiple counting of benzene;

(ii) Determine the quantity of benzene that is emitted, recovered, or removed from the affected units identified in paragraph (k)(7)(i) of this section, or destroyed in the units if applicable, using either direct measurements or the best available estimation techniques developed or approved by the Administrator.

(iii) Adjust the benzene quantity to eliminate the multiple counting of benzene based on the results from paragraph (k)(7)(ii) of this section and determine the total benzene quantity for the purposes of the calculation required by §61.342(e)(2).

(iv) Submit in the annual report required under §61.357(a) a description of the methods used and the resulting calculations for the alternative procedure under paragraph (k)(7) of this section, the benzene quantity determination from paragraph (k)(6) of this section, and the adjusted benzene quantity

determination from paragraph (k)(7)(iii) of this section.

[55 FR 8346, Mar. 7, 1990; 55 FR 12444, Apr. 3, 1990, as amended at 55 FR 37231, Sept. 10, 1990; 58 FR 3099, Jan. 7, 1993; 65 FR 62160, 62161, Oct. 17, 2000]

§ 61.356 Recordkeeping requirements.

(a) Each owner or operator of a facility subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section. Each record shall be maintained in a readily accessible location at the facility site for a period not less than two years from the date the information is recorded unless otherwise specified.

(b) Each owner or operator shall maintain records that identify each waste stream at the facility subject to this subpart, and indicate whether or not the waste stream is controlled for benzene emissions in accordance with this subpart. In addition the owner or operator shall maintain the following records:

(1) For each waste stream not controlled for benzene emissions in accordance with this subpart, the records shall include all test results, measurements, calculations, and other documentation used to determine the following information for the waste stream: waste stream identification, water content, whether or not the waste stream is a process wastewater stream, annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity.

(2) For each waste stream exempt from §61.342(c)(1) in accordance with §61.342(c)(3), the records shall include:

(i) All measurements, calculations, and other documentation used to determine that the continuous flow of process wastewater is less than 0.02 liters (0.005 gallons) per minute or the annual waste quantity of process wastewater is less than 10 Mg/yr (11 ton/yr) in accordance with §61.342(c)(3)(i), or

(ii) All measurements, calculations, and other documentation used to determine that the sum of the total annual benzene quantity in all exempt waste streams does not exceed 2.0 Mg/yr (2.2 ton/yr) in accordance with §61.342(c)(3)(ii).

(3) For each facility where process wastewater streams are controlled for benzene emissions in accordance with §61.342(d) of this subpart, the records shall include for each treated process wastewater stream all measurements, calculations, and other documentation used to determine the annual benzene quantity in the process wastewater stream exiting the treatment process.

(4) For each facility where waste streams are controlled for benzene emissions in accordance with §61.342(e), the records shall include for each waste stream all measurements, including the locations of the measurements, calculations, and other documentation used to determine that the total benzene quantity does not exceed 6.0 Mg/yr

(6.6 ton/yr).

(5) For each facility where the annual waste quantity for process unit turnaround waste is determined in accordance with §61.355(b)(5), the records shall include all test results, measurements, calculations, and other documentation used to determine the following information: identification of each process unit at the facility that undergoes turnarounds, the date of the most recent turnaround for each process unit, identification of each process unit turnaround waste, the water content of each process unit turnaround waste, the annual waste quantity determined in accordance with §61.355(b)(5), the range of benzene concentrations in the waste, the annual average flow-weighted benzene concentration of the waste, and the annual benzene quantity calculated in accordance with §61.355(a)(1)(iii) of this section.

(6) For each facility where wastewater streams are controlled for benzene emissions in accordance with §61.348(b)(2), the records shall include all measurements, calculations, and other documentation used to determine the annual benzene content of the waste streams and the total annual benzene quantity contained in all waste streams managed or treated in exempt waste management units.

(c) An owner or operator transferring waste off-site to another facility for treatment in accordance with §61.342(f) shall maintain documentation for each offsite waste shipment that includes the following information: Date waste is shipped offsite, quantity of waste shipped offsite, name and address of the facility receiving the waste, and a copy of the notice sent with the waste shipment.

(d) An owner or operator using control equipment in accordance with §§61.343 through 61.347 shall maintain engineering design documentation for all control equipment that is installed on the waste management unit. The documentation shall be retained for the life of the control equipment. If a control device is used, then the owner or operator shall maintain the control device records required by paragraph (f) of this section.

(e) An owner or operator using a treatment process or wastewater treatment system unit in accordance with §61.348 of this subpart shall maintain the following records. The documentation shall be retained for the life of the unit.

(1) A statement signed and dated by the owner or operator certifying that the unit is designed to operate at the documented performance level when the waste stream entering the unit is at the highest waste stream flow rate and benzene content expected to occur.

(2) If engineering calculations are used to determine treatment process or wastewater treatment system unit performance, then the owner or operator shall maintain the complete design analysis for the unit. The design analysis shall include for example the following information: Design specifications,

drawings, schematics, piping and instrumentation diagrams, and other documentation necessary to demonstrate the unit performance.

(3) If performance tests are used to determine treatment process or wastewater treatment system unit performance, then the owner or operator shall maintain all test information necessary to demonstrate the unit performance.

(i) A description of the unit including the following information: type of treatment process; manufacturer name and model number; and for each waste stream entering and exiting the unit, the waste stream type (e.g., process wastewater, sludge, slurry, etc.), and the design flow rate and benzene content.

(ii) Documentation describing the test protocol and the means by which sampling variability and analytical variability were accounted for in the determination of the unit performance. The description of the test protocol shall include the following information: sampling locations, sampling method, sampling frequency, and analytical procedures used for sample analysis.

(iii) Records of unit operating conditions during each test run including all key process parameters.

(iv) All test results.

(4) If a control device is used, then the owner or operator shall maintain the control device records required by paragraph (f) of this section.

(f) An owner or operator using a closed-vent system and control device in accordance with §61.349 of this subpart shall maintain the following records. The documentation shall be retained for the life of the control device.

(1) A statement signed and dated by the owner or operator certifying that the closed-vent system and control device is designed to operate at the documented performance level when the waste management unit vented to the control device is or would be operating at the highest load or capacity expected to occur.

(2) If engineering calculations are used to determine control device performance in accordance with §61.349(c), then a design analysis for the control device that includes for example:

(i) Specifications, drawings, schematics, and piping and instrumentation diagrams prepared by the owner or operator, or the control device manufacturer or vendor that describe the control device design based on acceptable engineering texts. The design analysis shall address the following vent stream characteristics and control device operating parameters:

(A) For a thermal vapor incinerator, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also establish the design minimum and average temperature in the combustion zone and the combustion zone residence time.

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

(C) For a boiler or process heater, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also establish the design minimum and average flame zone temperatures, combustion zone residence time, and description of method and location where the vent stream is introduced into the flame zone.

(D) For a flare, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also consider the requirements specified in 40 CFR 60.18.

(E) For a condenser, the design analysis shall consider the vent stream composition, constituent concentration, flow rate, relative humidity, and temperature. The design analysis shall also establish the design outlet organic compound concentration level or the design outlet benzene concentration level, design average temperature of the condenser exhaust vent stream, and the design average temperatures of the coolant fluid at the condenser inlet and outlet.

(F) For a carbon adsorption system that regenerates the carbon bed directly on-site in the control device such as a fixed-bed adsorber, the design analysis shall consider the vent stream composition, constituent concentration, flow rate, relative humidity, and temperature. The design analysis shall also establish the design exhaust vent stream organic compound concentration level or the design exhaust vent stream benzene concentration level, number and capacity of carbon beds, type and working capacity of activated carbon used for carbon beds, design total steam flow over the period of each complete carbon bed regeneration cycle, duration of the carbon bed steaming and cooling/drying cycles, design carbon bed temperature after regeneration, design carbon bed regeneration time, and design service life of carbon.

(G) For a carbon adsorption system that does not regenerate the carbon bed directly on-site in the control device, such as a carbon canister, the design analysis shall consider the vent stream composition, constituent concentration, flow rate, relative humidity, and temperature. The design analysis shall also establish the design exhaust vent stream organic compound concentration level or the design exhaust vent stream benzene concentration level, capacity of carbon bed, type and working capacity of activated carbon used for carbon bed, and design carbon replacement interval based on the total carbon working capacity of the control device and source operating schedule.

(H) For a control device subject to the requirements of §61.349(a)(2)(iv), the design analysis shall consider the vent stream composition, constituent concentration, and flow rate. The design analysis shall also include all of the information submitted under §61.349 (a)(2)(iv).

(ii) [Reserved]

(3) If performance tests are used to determine control device performance in accordance with §61.349(c) of this subpart:

(i) A description of how it is determined that the test is conducted when the waste management unit or treatment process is operating at the highest load or capacity level. This description shall include the estimated or design flow rate and organic content of each vent stream and definition of the acceptable operating ranges of key process and control parameters during the test program.

(ii) A description of the control device including the type of control device, control device manufacturer's name and model number, control device dimensions, capacity, and construction materials.

(iii) A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.

(iv) All test results.

(g) An owner or operator shall maintain a record for each visual inspection required by §§61.343 through 61.347 of this subpart that identifies a problem (such as a broken seal, gap or other problem) which could result in benzene emissions. The record shall include the date of the inspection, waste management unit and control equipment location where the problem is identified, a description of the problem, a description of the corrective action taken, and the date the corrective action was completed.

(h) An owner or operator shall maintain a record for each test of no detectable emissions required by §§61.343 through 61.347 and §61.349 of this subpart. The record shall include the following information: date the test is performed, background level measured during test, and maximum concentration indicated by the instrument reading measured for each potential leak interface. If detectable emissions are measured at a leak interface, then the record shall also include the waste management unit, control equipment, and leak interface location where detectable emissions were measured, a description of the problem, a description of the corrective action taken, and the date the corrective action was completed.

(i) For each treatment process and wastewater treatment system unit operated to comply with §61.348, the owner or operator shall maintain documentation that includes the following information regarding the unit operation:

- (1) Dates of startup and shutdown of the unit.
- (2) If measurements of waste stream benzene

concentration are performed in accordance with §61.354(a)(1) of this subpart, the owner or operator shall maintain records that include date each test is performed and all test results.

(3) If a process parameter is continuously monitored in accordance with §61.354(a)(2) of this subpart, the owner or operator shall maintain records that include a description of the operating parameter (or parameters) to be monitored to ensure that the unit will be operated in conformance with these standards and the unit's design specifications, and an explanation of the criteria used for selection of that parameter (or parameters). This documentation shall be kept for the life of the unit.

(4) If measurements of waste stream benzene concentration are performed in accordance with §61.354(b), the owner or operator shall maintain records that include the date each test is performed and all test results.

(5) Periods when the unit is not operated as designed.

(j) For each control device, the owner or operator shall maintain documentation that includes the following information regarding the control device operation:

(1) Dates of startup and shutdown of the closed-vent system and control device.

(2) A description of the operating parameter (or parameters) to be monitored to ensure that the control device will be operated in conformance with these standards and the control device's design specifications and an explanation of the criteria used for selection of that parameter (or parameters). This documentation shall be kept for the life of the control device.

(3) Periods when the closed-vent system and control device are not operated as designed including all periods and the duration when:

(i) Any valve car-seal or closure mechanism required under §61.349(a)(1)(ii) is broken or the by-pass line valve position has changed.

(ii) The flow monitoring devices required under §61.349(a)(1)(ii) indicate that vapors are not routed to the control device as required.

(4) If a thermal vapor incinerator is used, then the owner or operator shall maintain continuous records of the temperature of the gas stream in the combustion zone of the incinerator and records of all 3-hour periods of operation during which the average temperature of the gas stream in the combustion zone is more than 28°C (50°F) below the design combustion zone temperature.

(5) If a catalytic vapor incinerator is used, then the owner or operator shall maintain continuous records of the temperature of the gas stream both upstream and downstream of the catalyst bed of the incinerator, records of all 3-hour periods of operation during which the average temperature measured before the catalyst bed is more than 28°C (50°F) below the design gas stream temperature, and records of all 3-hour periods of operation during which

the average temperature difference across the catalyst bed is less than 80 percent of the design temperature difference.

(6) If a boiler or process heater is used, then the owner or operator shall maintain records of each occurrence when there is a change in the location at which the vent stream is introduced into the flame zone as required by §61.349(a)(2)(i)(C). For a boiler or process heater having a design heat input capacity less than 44 MW (150 x 10⁶ BTU/hr), the owner or operator shall maintain continuous records of the temperature of the gas stream in the combustion zone of the boiler or process heater and records of all 3-hour periods of operation during which the average temperature of the gas stream in the combustion zone is more than 28°C (50°F) below the design combustion zone temperature. For a boiler or process heater having a design heat input capacity greater than or equal to 44 MW (150 x 10⁶ BTU/hr), the owner or operator shall maintain continuous records of the parameter(s) monitored in accordance with the requirements of §61.354(c)(5).

(7) If a flare is used, then the owner or operator shall maintain continuous records of the flare pilot flame monitoring and records of all periods during which the pilot flame is absent.

(8) If a condenser is used, then the owner or operator shall maintain records from the monitoring device of the parameters selected to be monitored in accordance with §61.354(c)(6). If concentration of organics or concentration of benzene in the control device outlet gas stream is monitored, then the owner or operator shall record all 3-hour periods of operation during which the concentration of organics or the concentration of benzene in the exhaust stream is more than 20 percent greater than the design value. If the temperature of the condenser exhaust stream and coolant fluid is monitored, then the owner or operator shall record all 3-hour periods of operation during which the temperature of the condenser exhaust vent stream is more than 6°C (11°F) above the design average exhaust vent stream temperature, or the temperature of the coolant fluid exiting the condenser is more than 6°C (11°F) above the design average coolant fluid temperature at the condenser outlet.

(9) If a carbon adsorber is used, then the owner or operator shall maintain records from the monitoring device of the concentration of organics or the concentration of benzene in the control device outlet gas stream. If the concentration of organics or the concentration of benzene in the control device outlet gas stream is monitored, then the owner or operator shall record all 3-hour periods of operation during which the concentration of organics or the concentration of benzene in the exhaust stream is more than 20 percent greater than the design value. If the carbon bed regeneration interval is monitored, then the owner or operator shall record each occurrence when the vent stream continues to flow

through the control device beyond the predetermined carbon bed regeneration time.

(10) If a carbon adsorber that is not regenerated directly on site in the control device is used, then the owner or operator shall maintain records of dates and times when the control device is monitored, when breakthrough is measured, and shall record the date and time then the existing carbon in the control device is replaced with fresh carbon.

(11) If an alternative operational or process parameter is monitored for a control device, as allowed in §61.354(e) of this subpart, then the owner or operator shall maintain records of the continuously monitored parameter, including periods when the device is not operated as designed.

(12) If a control device subject to the requirements of §61.349(a)(2)(iv) is used, then the owner or operator shall maintain records of the parameters that are monitored and each occurrence when the parameters monitored are outside the range of values specified in §61.349(a)(2)(iv)(C), or other records as specified by the Administrator.

(k) An owner or operator who elects to install and operate the control equipment in §61.351 of this subpart shall comply with the recordkeeping requirements in 40 CFR 60.115b.

(l) An owner or operator who elects to install and operate the control equipment in §61.352 of this subpart shall maintain records of the following:

(1) The date, location, and corrective action for each visual inspection required by 40 CFR 60.693-2(a)(5), during which a broken seal, gap, or other problem is identified that could result in benzene emissions.

(2) Results of the seal gap measurements required by 40 CFR 60.693-2(a).

(m) If a system is used for emission control that is maintained at a pressure less than atmospheric pressure with openings to provide dilution air, then the owner or operator shall maintain records of the monitoring device and records of all periods during which the pressure in the unit is operated at a pressure that is equal to or greater than atmospheric pressure.

(n) Each owner or operator using a total enclosure to comply with control requirements for tanks in §61.343 or the control requirements for containers in §61.345 must keep the records required in paragraphs (n)(1) and (2) of this section. Owners or operators may use records as required in 40 CFR 264.1089(b)(2)(iv) or 40 CFR 265.1090(b)(2)(iv) for a tank or as required in 40 CFR 264.1089(d)(1) or 40 CFR 265.1090(d)(1) for a container to meet the recordkeeping requirement in paragraph (n)(1) of this section. The owner or operator must make the records of each verification of a total enclosure available for inspection upon request.

(1) Records of the most recent set of

calculations and measurements performed 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" in 40 CFR 52.741, appendix B;

(2) Records required for a closed-vent system and control device according to the requirements in paragraphs (d) (f), and (j) of this section.

[55 FR 8346, Mar. 7, 1990; 55 FR 12444, Apr. 3, 1990; 55 FR 18331, May 2, 1990, as amended at 58 FR 3103, Jan. 7, 1993; 65 FR 62161, Oct. 17, 2000; 67 FR 68533, Nov. 12, 2002]

§ 61.357 Reporting requirements.

(a) Each owner or operator of a chemical plant, petroleum refinery, coke by-product recovery plant, and any facility managing wastes from these industries shall submit to the Administrator within 90 days after January 7, 1993, or by the initial startup for a new source with an initial startup after the effective date, a report that summarizes the regulatory status of each waste stream subject to §61.342 and is determined by the procedures specified in §61.355(c) to contain benzene. Each owner or operator subject to this subpart who has no benzene onsite in wastes, products, by-products, or intermediates shall submit an initial report that is a statement to this effect. For all other owners or operators subject to this subpart, the report shall include the following information:

(1) Total annual benzene quantity from facility waste determined in accordance with §61.355(a) of this subpart.

(2) A table identifying each waste stream and whether or not the waste stream will be controlled for benzene emissions in accordance with the requirements of this subpart.

(3) For each waste stream identified as not being controlled for benzene emissions in accordance with the requirements of this subpart the following information shall be added to the table:

(i) Whether or not the water content of the waste stream is greater than 10 percent;

(ii) Whether or not the waste stream is a process wastewater stream, product tank drawdown, or landfill leachate;

(iii) Annual waste quantity for the waste stream;

(iv) Range of benzene concentrations for the waste stream;

(v) Annual average flow-weighted benzene concentration for the waste stream; and

(vi) Annual benzene quantity for the waste stream.

(4) The information required in paragraphs (a) (1), (2), and (3) of this section should represent the waste stream characteristics based on current configuration and operating conditions. An owner or operator only needs to list in the report those waste streams that

contact materials containing benzene. The report does not need to include a description of the controls to be installed to comply with the standard or other information required in §61.10(a).

(b) If the total annual benzene quantity from facility waste is less than 1 Mg/yr (1.1 ton/yr), then the owner or operator shall submit to the Administrator a report that updates the information listed in paragraphs (a)(1) through (a)(3) of this section whenever there is a change in the process generating the waste stream that could cause the total annual benzene quantity from facility waste to increase to 1 Mg/yr (1.1 ton/yr) or more.

(c) If the total annual benzene quantity from facility waste is less than 10 Mg/yr (11 ton/yr) but is equal to or greater than 1 Mg/yr (1.1 ton/yr), then the owner or operator shall submit to the Administrator a report that updates the information listed in paragraphs (a)(1) through (a)(3) of this section. The report shall be submitted annually and whenever there is a change in the process generating the waste stream that could cause the total annual benzene quantity from facility waste to increase to 10 Mg/yr (11 ton/yr) or more. If the information in the annual report required by paragraphs (a)(1) through (a)(3) of this section is not changed in the following year, the owner or operator may submit a statement to that effect.

(d) If the total annual benzene quantity from facility waste is equal to or greater than 10 Mg/yr (11 ton/yr), then the owner or operator shall submit to the Administrator the following reports:

(1) Within 90 days after January 7, 1993, unless a waiver of compliance under §61.11 of this part is granted, or by the date of initial startup for a new source with an initial startup after the effective date, a certification that the equipment necessary to comply with these standards has been installed and that the required initial inspections or tests have been carried out in accordance with this subpart. If a waiver of compliance is granted under §61.11, the certification of equipment necessary to comply with these standards shall be submitted by the date the waiver of compliance expires.

(2) Beginning on the date that the equipment necessary to comply with these standards has been certified in accordance with paragraph (d)(1) of this section, the owner or operator shall submit annually to the Administrator a report that updates the information listed in paragraphs (a)(1) through (a)(3) of this section. If the information in the annual report required by paragraphs (a)(1) through (a)(3) of this section is not changed in the following year, the owner or operator may submit a statement to that effect.

(3) If an owner or operator elects to comply with the requirements of §61.342(c)(3)(ii), then the report required by paragraph (d)(2) of this section shall include a table identifying each waste stream chosen for exemption and

the total annual benzene quantity in these exempted streams.

(4) If an owner or operator elects to comply with the alternative requirements of §61.342(d) of this subpart, then he shall include in the report required by paragraph (d)(2) of this section a table presenting the following information for each process wastewater stream:

(i) Whether or not the process wastewater stream is being controlled for benzene emissions in accordance with the requirements of this subpart;

(ii) For each process wastewater stream identified as not being controlled for benzene emissions in accordance with the requirements of this subpart, the table shall report the following information for the process wastewater stream as determined at the point of waste generation: annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity;

(iii) For each process wastewater stream identified as being controlled for benzene emissions in accordance with the requirements of this subpart, the table shall report the following information for the process wastewater stream as determined at the exit to the treatment process: Annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity.

(5) If an owner or operator elects to comply with the alternative requirements of §61.342(e), then the report required by paragraph (d)(2) of this section shall include a table presenting the following information for each waste stream:

(i) For each waste stream identified as not being controlled for benzene emissions in accordance with the requirements of this subpart; the table shall report the following information for the waste stream as determined at the point of waste generation: annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity;

(ii) For each waste stream identified as being controlled for benzene emissions in accordance with the requirements of this subpart; the table shall report the following information for the waste stream as determined at the applicable location described in §61.355(k)(2): Annual waste quantity, range of benzene concentrations, annual average flow-weighted benzene concentration, and annual benzene quantity.

(6) Beginning 3 months after the date that the equipment necessary to comply with these standards has been certified in accordance with paragraph (d)(1) of this section, the owner or operator shall submit quarterly to the Administrator a certification that all of the required inspections have been carried out in accordance with the requirements of this subpart.

(7) Beginning 3 months after the date that the equipment necessary to comply with these standards has been certified in accordance with paragraph (d)(1) of this section, the owner or operator shall submit a report quarterly to the Administrator that includes:

(i) If a treatment process or wastewater treatment system unit is monitored in accordance with §61.354(a)(1) of this subpart, then each period of operation during which the concentration of benzene in the monitored waste stream exiting the unit is equal to or greater than 10 ppmw.

(ii) If a treatment process or wastewater treatment system unit is monitored in accordance with §61.354(a)(2) of this subpart, then each 3-hour period of operation during which the average value of the monitored parameter is outside the range of acceptable values or during which the unit is not operating as designed.

(iii) If a treatment process or wastewater treatment system unit is monitored in accordance with §61.354(b), then each period of operation during which the flow-weighted annual average concentration of benzene in the monitored waste stream entering the unit is equal to or greater than 10 ppmw and/or the total annual benzene quantity is equal to or greater than 1.0 mg/yr.

(iv) For a control device monitored in accordance with §61.354(c) of this subpart, each period of operation monitored during which any of the following conditions occur, as applicable to the control device:

(A) Each 3-hour period of operation during which the average temperature of the gas stream in the combustion zone of a thermal vapor incinerator, as measured by the temperature monitoring device, is more than 28°C (50°F) below the design combustion zone temperature.

(B) Each 3-hour period of operation during which the average temperature of the gas stream immediately before the catalyst bed of a catalytic vapor incinerator, as measured by the temperature monitoring device, is more than 28°C (50°F) below the design gas stream temperature, and any 3-hour period during which the average temperature difference across the catalyst bed (i.e., the difference between the temperatures of the gas stream immediately before and after the catalyst bed), as measured by the temperature monitoring device, is less than 80 percent of the design temperature difference.

(C) Each 3-hour period of operation during which the average temperature of the gas stream in the combustion zone of a boiler or process heater having a design heat input capacity less than 44 MW (150 x 10⁶ BTU/hr), as measured by the temperature monitoring device, is more than 28°C (50°F) below the design combustion zone temperature.

(D) Each 3-hour period of operation during which the average concentration of organics or the average concentration of benzene in the exhaust gases from a carbon adsorber,

condenser, or other vapor recovery system is more than 20 percent greater than the design concentration level of organics or benzene in the exhaust gas.

(E) Each 3-hour period of operation during which the temperature of the condenser exhaust vent stream is more than 6°C (11°F) above the design average exhaust vent stream temperature, or the temperature of the coolant fluid exiting the condenser is more than 6°C (11°F) above the design average coolant fluid temperature at the condenser outlet.

(F) Each period in which the pilot flame of a flare is absent.

(G) Each occurrence when there is a change in the location at which the vent stream is introduced into the flame zone of a boiler or process heater as required by §61.349(a)(2)(i)(C) of this subpart.

(H) Each occurrence when the carbon in a carbon adsorber system that is regenerated directly on site in the control device is not regenerated at the predetermined carbon bed regeneration time.

(I) Each occurrence when the carbon in a carbon adsorber system that is not regenerated directly on site in the control device is not replaced at the predetermined interval specified in §61.354(c) of this subpart.

(J) Each 3-hour period of operation during

which the parameters monitored are outside the range of values specified in §61.349(a)(2)(iv)(C), or any other periods specified by the Administrator for a control device subject to the requirements of §61.349(a)(2)(iv).

(v) For a cover and closed-vent system monitored in accordance with §61.354(g), the owner or operator shall submit a report quarterly to the Administrator that identifies any period in which the pressure in the waste management unit is equal to or greater than atmospheric pressure.

(8) Beginning one year after the date that the equipment necessary to comply with these standards has been certified in accordance with paragraph (d)(1) of this section, the owner or operator shall submit annually to the Administrator a report that summarizes all inspections required by §§61.342 through 61.354 during which detectable emissions are measured or a problem (such as a broken seal, gap or other problem) that could result in benzene emissions is identified, including information about the repairs or corrective action taken.

(e) An owner or operator electing to comply with the provisions of §61.351 or §61.352 of this subpart shall notify the Administrator of the alternative standard selected in the report

required under §61.07 or §61.10 of this part.

(f) An owner or operator who elects to install and operate the control equipment in §61.351 of this subpart shall comply with the reporting requirements in 40 CFR 60.115b.

(g) An owner or operator who elects to install and operate the control equipment in §61.352 of this subpart shall submit initial and quarterly reports that identify all seal gap measurements, as required in 40 CFR 60.693-2(a), that are outside the prescribed limits.

[55 FR 8346, Mar. 7 1990; 55 FR 12444, Apr. 3, 1990, as amended at 55 FR 37231, Sept. 10, 1990; 58 FR 3105, Jan. 7, 1993; 65 FR 62161, Oct. 17, 2000]

§ 61.358 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(d) of the Clean Air Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Alternative means of emission limitation under §61.353 of this subpart will not be delegated to States.

§ 61.359 [Reserved]

APPENDIX H

GENERAL CONTROL DEVICE REQUIREMENTS

**WAQSR Chapter 5, Section 2(m)
General Control Device Requirements (Flares)**

(i) This section contains requirements for control devices used to comply with applicable subparts of Chapter 5, Section 2. The requirements are placed here for administrative convenience and only apply to facilities covered by subparts referring to this Section.

(ii) Flares:

(A) General Design:

(I) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (D), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(II) Flares shall be operated with flame present at all times, as determined by the methods specified in paragraph (D).

(III) Flares shall be used only with the net heating value of the gas being combusted being 300 Btu/Scf (11.2 MJ/scm) or greater if the flare is steam-assisted or air-assisted or with the net heating value of the gas being combusted being 200 Btu/scf (7.45 MJ/scm) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (D).

(IV) Steam-assisted and nonassisted flare shall be designed for and operated with an exit velocity as determined by the methods specified in paragraph (D)(IV), less than 60 ft/sec (18.3 m/sec) except as follows:

(1.) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (D)(IV) equal to or greater than 60 ft/sec (18.3 m/sec) but less than 400 ft/sec (122 m/sec) are allowed if the net heating value of the gas being combusted is greater than 1000 Btu/scf (37.3 MJ/scm).

(2.) Steam-assisted and nonassisted flares designed for and operated with an exit velocity as determined by the methods specified in paragraph (D)(IV), less than the velocity V_{max}, as determined by the method specified in paragraph (D)(V), and less than 400 ft/sec (122 m/sec) are allowed.

(V) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{max}, as determined by the method specified in paragraph (D)(VI).

(VI) Flares used to comply with this section

shall be steam-assisted, air-assisted or nonassisted.

(B) Owners or operators of flares used to comply with the provisions of this section shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(C) Flares used to comply with the provisions of an applicable subpart shall be operated at all times when emissions may be vented to them.

(D) Determinations:

(I) Reference Method 22 shall be used to determine the compliance of flares with the visible emission provisions of this Section. The observation period is 2 hours and shall be used according to Method 22.

(II) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(III) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the value corresponding to one mole is 20°C.

K = Constant,

$$1.740 \times 10^{-7} \left(\frac{1}{ppm} \right) \left(\frac{gmole}{scm} \right) \left(\frac{MJ}{kcal} \right)$$

Where the standard temperature of (g-mole/scm) is 20° C.

C_i = Concentration of sample component i in ppm on a wet basis, as measured for

organics by reference method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77.

H_i = Net heat of combustion of sample component i, kcal/g mole at 25°C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 if published values are not available or cannot be calculated.

(IV) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by reference methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

(V) The maximum permitted velocity V_{max}, for flares complying with paragraph (A)(IV)(2.) shall be determined by the following equation:

$$\text{Log}_{10}(V_{\max}) = \frac{H_T + 28.80}{31.7}$$

V_{max} = Maximum permitted velocity, m/sec

28.8 = Constant

31.7 = Constant

H_T = The net heating value as determined in paragraph (D)(III)

(VI) The maximum permitted velocity, V_{max}, for air-assisted flares shall be determined by the following equation:

$$V_{\max} = 8.706 + 0.7084(H_T)$$

V_{max} = Maximum permitted velocity m/sec

8.706 = Constant

0.7084 = Constant

H_T = The net heating value as determined in paragraph (D)(III).

APPENDIX I

COMPLIANCE ASSURANCE MONITORING (CAM) PLAN

SECTION 3
COMPLIANCE ASSURANCE MONITORING PROCEDURES

The Compliance Assurance Monitoring (CAM) Procedures section addresses the following control devices and emissions:

- Lo-Cat II process unit, controlling heater SO₂ emissions.
- CO Furnace, controlling RFCC regenerator CO emissions.

CAM provisions apply to these two control devices because:

- The Newcastle Refinery is a major source of criteria pollutants SO₂ and CO.
- The Refinery operates individual emission units that meet the following conditions:
 - Subject to an emission limit for the pollutant (SO₂ or CO).
 - Uses an add-on control device to achieve compliance with the limit.
 - Has a pre-control potential emissions estimate for the pollutant of more than 100 tons per year (tpy).

Thus, the CAM rule applies to emission control devices whose performance is central to the success in meeting an emission limit by an emission unit that has the potential to emit significant amounts of a pollutant. The intent of the CAM rule is to cause the Refinery to provide a reasonable assurance of compliance with standards by monitoring the performance of the control device in accordance with criteria established in WAQSR Chapter 7, Section 3(c), the essential features of which are:

- Identify a parameter(s) that indicates proper control device performance.
- Using design information, establish a range of levels for which the indicator parameter establishes proper performance.
- Instrument the system to continuously monitor the indicator parameter level.

This Compliance Assurance Monitoring Procedures section presents the CAM plan for the Lo-Cat II process unit and the CO Furnace.

LO-CAT II PROCESS UNIT

The Lo-Cat II process is the SO₂ control device for Refinery heaters. The following explanations establish the framework for the Lo-Cat II CAM plan:

- All Refinery heaters are subject to SO₂ emission limits. All heaters except H-19 and H-20 use the Lo-Cat II process as the means of achieving compliance with these limits, because the Lo-Cat II process reduces the H₂S content of fired fuel gas.
- SO₂ emissions from H-19 and H-20, which vent through common stack S-21, are a function of RFCC regenerator off-gas composition, such that fuel gas H₂S content cannot be used to ensure compliance with S-21 SO₂ emission limits. There is no SO₂ control device for the regenerator or the CO Furnace and S-21, therefore, is not subject to CAM for SO₂.
- Because of their small rating, neither H-17 nor H-18 has pre-control potential SO₂ emissions exceeding 100 tpy, even if combustion sour fuel gas at 2.5 percent H₂S. All other heaters have the potential to produce SO₂ emissions exceeding 100 tpy.

Therefore, all heaters except H-17, H-18, H-19, and H-20 generate the need for a CAM plan for the Lo-Cat II unit. Heaters generating the need for Lo-Cat II CAM plan are called "CAM-affected heaters" in this section. Although H-17, H-18, H-19 and H-20 are not subject to CAM, because they are supplied by the fuel gas system for the Sweet Gas Heaters, their compliance will incidentally benefit from the CAM plan for the other heaters.

Background

SO₂ emissions from CAM-affected heaters are a direct function of the H₂S in the fired fuel gas. Fuel gases produced in the Refinery contain high levels of sulfur – estimated to be up to 2.5 volume percent. A portion of the fuel gases are desulfurized in the Lo-Cat II process unit, which produces treated ("sweet") fuel gas with an H₂S concentration less than or equal to 0.0159 volume-percent.

Rationale for Selection of Performance Indicator

WAQSR Chapter 7, Section 3(c)(iv) states that, if a predictive emissions monitoring system (PEMS) is required, the Refinery must use the PEMS to satisfy the CAM monitoring requirements. The SO₂ compliance monitoring is a PEMS, because the H₂S concentration of fired fuel is monitored and, coupled with fuel gas flow rate to each heater, manipulated into hourly and annual SO₂ emission determinations.

Therefore, the parameter that indicates the proper performance of the Lo-Cat II process is the SO₂ emissions per heater. If heater SO₂ emissions are within hourly limits, the Lo-Cat II control device is working properly. If heater SO₂ emissions exceed hourly limits, the Lo-Cat II is probably not operating properly and should be attended to.

Rationale for Selection of Indicator Ranges

The indicator ranges are the emission standards listed in Table 1 for the CAM-affected heaters. If each heater meets its SO₂ emission limits, the Lo-Cat II is operating properly.

CAM QA/QC

The components of the SO₂ CAM monitoring plan for refinery heaters are all subject to independent QA/QC requirements thereby satisfying the CAM requirements. The H₂S monitors are required by MD-433 Condition 15 to have a quality assurance program. The refinery is now following the RATA and cylinder gas audit provisions of 40 CFR part 60 Appendix F in this regard. The fuel gas flow meters are required to be maintained according to the manufacturers' recommendations per MD-433 Condition 17(b)(i)(A) and to be verified annually for accuracy per MD-433 Condition 17(b)(i)(B). The Lo Cat II is operated and maintained per the manufacturer's recommendations.

CO FURNACE (H-20)

The CO Furnace (H-20) is the control device for CO in the RFCC regenerator off-gases. The following explanations establish the framework for the CO Furnace CAM plan:

- RFCC regenerator off-gases contain CO in excess of 100 tpy, because of how the RFCC process is operated. RFCC off-gases are directed to the CO Furnace, which uses the heat content of the off-gases, including CO, supplemented by the fuel gas fired auxiliary burner H-20, to generate steam.
- Emissions from the CO Furnace are therefore associated with combusting a combination of RFCC regenerator off-gas and fuel gas, where all emissions vent through common stack S-21.
- CO emissions from S-21, while not subject to NSPS Subpart J, are regulated by emission limits (see Table 1). The CO Furnace is the control device enabling S-21 CO emission limits to be met.

Therefore, RFCC regenerator CO emissions generate the need for a CAM plan for the CO Furnace.

Background

CO emissions through S-21 are a function of the efficiency of the CO Furnace. Design data from the RFCC relocation indicate that, if the CO Furnace is operating properly, the CO concentration in S-21 exhaust gases should be less than 150 ppm. The refinery already has continuous SO₂, NO_x, O₂ and flow monitors on S-21 as well as a data acquisition system to record this data and calculate corresponding emission rates. Wyoming Refining Company will install a CO concentration or ppm analyzer on S-21 to be connected to the data acquisition system for calculating, in conjunction with the flow data already monitored and recorded, of the CO emission rate.

Rationale for Selection of Performance Indicator

The monitored parameters or performance indicators are the S-21 CO concentration and the S-21 flue gas flow rate. These indicators are chosen because they allow direct calculation and, therefore, monitoring of S-21 CO emissions.

Rationale for Selection of Indicator Ranges

The selected indicator range is based on the design data for the RFCC/CO Furnace venting through S-21, on the MD-433A permitted emission limit, on actual test results for S-21 and on the specifications for available CO analyzers. RFCC design data indicate the CO furnace should control CO emissions to 150 ppm or less. The MD-433A permit limit is based on this emission concentration at the maximum design flue gas flow rate plus a 50% compliance margin. To date, performance testing of S-21 shows CO concentrations of 1.9 and 24.1 ppm. CO analyzers are available in two choices – a maximum range of 200 ppm and a maximum range of 1000 ppm. Wyoming Refining Company, therefore, will seek a CO analyzer with a maximum detection limit of 1000 ppm scaled down initially to a reporting range of 0 to 500 ppm. 500 ppm is selected because it represents approximately twice the assumed concentration that is the basis of the emission limit, but another range limit may be selected if monitoring experience indicates a different range is more appropriate for accurately monitoring emissions.

CAM QA/QC

The S-21 flow meter and CO analyzer will be maintained and checked pursuant to the requirements of 40 CFR Part 60, Appendix F.

APPENDIX J

WAQSR CHAPTER 7, SECTION 3

WAQSR Chapter 7, Section 3 Compliance Assurance Monitoring (CAM)

(a) **Definitions.** For purposes of this section: **"Act"** means the Clean Air Act, as amended by Pub.L. 101-549, 42 U.S.C. 7401, et seq. **"Applicable requirement"** means all of the following as they apply to emissions units at a source subject to this section (including requirements with future effective compliance dates that have been promulgated or approved by the EPA or the State through rulemaking at the time of issuance of the operating permit):

(i) Any standard or other requirement provided for in the Wyoming implementation plan approved or promulgated by the EPA under title I of the Act that implements the relevant requirements of the Act, including any revisions to the plan promulgated in 40 CFR part 52;

(ii) Any standards or requirements in the WAQSR which are not a part of the approved Wyoming implementation plan and are not federally enforceable;

(iii) Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under title I, including parts C or D of the Act and including Chapter 5, Section 2 and Chapter 6, Sections 2 and 4 of the WAQSR;

(iv) Any standard or other requirement promulgated under section 111 of the Act, including section 111(d) and Chapter 5, Section 2 of the WAQSR;

(v) Any standard or other requirement under section 112 of the Act, including any requirement concerning accident prevention under section 112(r)(7) of the Act and including any regulations promulgated by the EPA and the State pursuant to section 112 of the Act;

(vi) Any standard or other requirement of the acid rain program under title IV of the Act or the regulations promulgated thereunder;

(vii) Any requirements established pursuant to section 504(b) or section 114(a)(3) of the Act concerning enhanced monitoring and compliance certifications;

(viii) Any standard or other requirement governing solid waste incineration, under section 129 of the Act;

(ix) Any standard or other requirement for consumer and commercial products, under section 183(e) of the Act (having to do with the release of volatile organic compounds under ozone control requirements);

(x) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the Act, unless the EPA has determined that such requirements need not be contained in a title V permit;

(xi) Any national ambient air quality standard or increment or visibility requirement under part C of title I of the Act, but only as it would

apply to temporary sources permitted pursuant to section 504(e) of the Act; and

(xii) Any state ambient air quality standard or increment or visibility requirement of the WAQSR.

(xiii) Nothing under Chapter 6, Section 3(b)(v) shall be construed as affecting the allowance program and Phase II compliance schedule under the acid rain provision of title IV of the Act.

"Capture system" means the equipment (including but not limited to hoods, ducts, fans, and booths) used to contain, capture and transport a pollutant to a control device.

"Continuous compliance determination method" means a method, specified by the applicable standard or an applicable permit condition, which:

(i) Is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and

(ii) Provides data either in units of the standard or correlated directly with the compliance limit.

"Control device" means equipment, other than inherent process equipment, that is used to destroy or remove air pollutant(s) prior to discharge to the atmosphere. The types of equipment that may commonly be used as control devices include, but are not limited to, fabric filters, mechanical collectors, electrostatic precipitators, inertial separators, afterburners, thermal or catalytic incinerators, adsorption devices (such as carbon beds), condensers, scrubbers (such as wet collection and gas absorption devices), selective catalytic or non-catalytic reduction systems, flue gas recirculation systems, spray dryers, spray towers, mist eliminators, acid plants, sulfur recovery plants, injection systems (such as water, steam, ammonia, sorbent or limestone injection), and combustion devices independent of the particular process being conducted at an emissions unit (e.g., the destruction of emissions achieved by venting process emission streams to flares, boilers or process heaters). For purposes of this part, a control device does not include passive control measures that act to prevent pollutants from forming, such as the use of seals, lids, or roofs to prevent the release of pollutants, use of low-polluting fuel or feedstocks, or the use of combustion or other process design features or characteristics. If an applicable requirement establishes that particular equipment which otherwise meets this definition of a control device does not constitute a control device as applied to a particular pollutant-specific emissions unit, then that definition shall be binding for purposes of this part.

"Data" means the results of any type of monitoring or method, including the results of

instrumental or non-instrumental monitoring, emission calculations, manual sampling procedures, recordkeeping procedures, or any other form of information collection procedure used in connection with any type of monitoring or method.

"Emission limitation or standard" means any applicable requirement that constitutes an emission limitation, emission standard, standard of performance or means of emission limitation as defined under the Act. An emission limitation or standard may be expressed in terms of the pollutant, expressed either as a specific quantity, rate or concentration of emissions (e.g., pounds of SO₂ per hour, pounds of SO₂ per million British thermal units of fuel input, kilograms of VOC per liter of applied coating solids, or parts per million by volume of SO₂) or as the relationship of uncontrolled to controlled emissions (e.g., percentage capture and destruction efficiency of VOC or percentage reduction of SO₂). An emission limitation or standard may also be expressed either as a work practice, process or control device parameter, or other form of specific design, equipment, operational, or operation and maintenance requirement. For purposes of this part, an emission limitation or standard shall not include general operation requirements that an owner or operator may be required to meet, such as requirements to obtain a permit, to operate and maintain sources in accordance with good air pollution control practices, to develop and maintain a malfunction abatement plan, to keep records, submit reports, or conduct monitoring.

"Emissions unit" means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under section 112(b) of the Act. This term is not meant to alter or affect the definition of the term "unit" for purposes of title IV of the Act.

"Exceedence" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

"Excursion" shall mean a departure from an indicator range established for monitoring under this part, consistent with any averaging period specified for averaging the results of the monitoring.

"Inherent process equipment" means equipment that is necessary for the proper or safe functioning of the process, or material recovery equipment that the owner or operator documents is installed and operated primarily for purposes other than compliance with air pollution regulations. Equipment that must be

operated at an efficiency higher than that achieved during normal process operations in order to comply with the applicable emission limitation or standard is not inherent process equipment. For the purposes of this part, inherent process equipment is not considered a control device.

"Major source" means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person or persons under common control) belonging to a single major industrial grouping and that is described in paragraphs (i), (ii), or (iii) of this definition. For the purpose of defining "major source", a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987.

(i) A major source under section 112 of the Act, which is defined as:

(A) For pollutants other than radionuclides, any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to section 112(b) of the Act, 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the EPA may establish by rule. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or

(B) For radionuclides, "major source" shall have the meaning specified by the EPA by rule.

(ii) A major stationary source of air pollutants, as defined in section 302 of the Act, that directly emits or has the potential to emit, 100 tpy or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the EPA). Emissions of air pollutants regulated solely due to section 112(r) of the Act shall not be considered in determining whether a source is a "major source" for purposes of Chapter 6, Section 3 applicability. The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source unless the source belongs to one of the following categories of stationary sources:

(A) Stationary sources listed in Chapter 6, Section 4(a)(i)(a) of the WAQSR; or

(B) Any other stationary source category, which as of August 7, 1980 is being regulated under section 111 or 112 of the Act.

(iii) A major stationary source as defined in part D of title I of the Act (in reference to sources located in non-attainment areas).

"Monitoring" means any form of collecting data on a routine basis to determine or otherwise assess compliance with emission limitations or standards. Recordkeeping may be considered monitoring where such records are used to determine or assess compliance with an emission limitation or standard (such as records of raw material content and usage, or records documenting compliance with work practice requirements). The conduct of compliance method tests, such as the procedures in 40 CFR part 60, Appendix A, on a routine periodic basis may be considered monitoring (or as a supplement to other monitoring), provided that requirements to conduct such tests on a one-time basis or at such times as a regulatory authority may require on a non-regular basis are not considered monitoring requirements for purposes of this paragraph. Monitoring may include one or more than one of the following data collection techniques, where appropriate for a particular circumstance:

(i) Continuous emission or opacity monitoring systems;

(ii) Continuous process, capture system, control device or other relevant parameter monitoring systems or procedures, including a predictive emission monitoring system;

(iii) Emission estimation and calculation procedures (e.g., mass balance or stoichiometric calculations);

(iv) Maintenance and analysis of records of fuel or raw materials usage;

(v) Recording results of a program or protocol to conduct specific operation and maintenance procedures;

(vi) Verification of emissions, process parameters, capture system parameters, or control device parameters using portable or in situ measurement devices;

(vii) Visible emission observations;

(viii) Any other form of measuring, recording, or verifying on a routine basis emissions, process parameters, capture system parameters, control device parameters or other factors relevant to assessing compliance with emission limitations or standards.

"Operating permit" means any permit or group of permits covering a source under Chapter 6, Section 3, Operating Permits that is issued, renewed, amended, or revised pursuant to Chapter 6, Section 3.

"Operating permit application" shall mean an application (including any supplement to a previously submitted application) that is

submitted by the owner or operator in order to obtain a Chapter 6, Section 3, operating permit.

"Owner or operator" means any person who owns, leases, operates, controls or supervises a stationary source subject to this part.

"Pollutant-specific emissions unit" means an emissions unit considered separately with respect to each regulated air pollutant.

"Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is enforceable by the EPA and the Division. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in title IV of the Act or the regulations promulgated thereunder.

"Predictive emission monitoring system (PEMS)" means a system that uses process and other parameters as inputs to a computer program or other data reduction system to produce values in terms of the applicable emission limitation or standard.

"Regulated air pollutant" means the following:

(i) Nitrogen oxides (NO_x) or any volatile organic compound;

(ii) Any pollutant for which a national ambient air quality standard has been promulgated;

(iii) Any pollutant that is subject to any standard established in Chapter 5, Section 2 of the WAQSR or section 111 of the Act;

(iv) Any Class I or II substance subject to a standard promulgated under or established by title VI of the Act; or

(v) Any pollutant subject to a standard promulgated under section 112 or other requirements established under section 112 of the Act, including sections 112(g), (j), and (r) of the Act, including the following:

(A) Any pollutant subject to requirements under section 112(j) of the Act. If the EPA fails to promulgate a standard by the date established pursuant to section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the Act; and

(B) Any pollutant for which the requirements of section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to section 112(g)(2) requirement.

(vi) Pollutants regulated solely under section 112(r) of the Act are to be regulated only with respect to the requirements of section 112(r)

for permits issued under Chapter 6, Section 3, Operating Permits.

"Stationary source" means any building, structure, facility, or installation that emits or may emit any regulated air pollutant or any pollutant listed under section 112(b) of the Act.

(b) Applicability.

(i) General applicability. Except for backup utility units that are exempt under paragraph (ii)(B) of this subsection (b), the requirements of this part shall apply to a pollutant-specific emissions unit at a major source that is required to obtain a Chapter 6, Section 3, operating permit if the unit satisfies all of the following criteria:

(A) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant (or a surrogate thereof), other than an emission limitation or standard that is exempt under paragraph (ii)(A) of this subsection (b);

(B) The unit uses a control device to achieve compliance with any such emission limitation or standard; and

(C) The unit has potential pre-control device emissions of the applicable regulated air pollutant that are equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source. For purposes of this paragraph, "potential pre-control device emissions" shall have the same meaning as "potential to emit", as defined in Chapter 7, Section 3(a), except that emission reductions achieved by the applicable control device shall not be taken into account.

(ii) Exemptions.

(A) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards:

(I) Emission limitations or standards proposed by the EPA Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act;

(II) Stratospheric ozone protection requirements under title VI of the Act;

(III) Acid Rain Program requirements pursuant to sections 404, 405, 406, 407(a), 407(b), or 410 of the Act;

(IV) Emission limitations or standards or other applicable requirements that apply solely under an emissions trading program approved or promulgated by the Administrator under the Act that allows for trading emissions within a source or between sources;

(V) A federally enforceable emissions cap included in the Chapter 6, Section 3 operating permit;

(VI) Emission limitations or standards for which a Chapter 6, Section 3, operating permit specifies a continuous compliance

determination method, as defined in Chapter 7, Section 3(a). The exemption provided in (b)(ii)(A)(VI) of this section shall not apply if the applicable compliance method includes an assumed control device emission reduction factor that could be affected by the actual operation and maintenance of the control device (such as a surface coating line controlled by an incinerator for which continuous compliance is determined by calculating emissions on the basis of coating records and an assumed control device efficiency factor based on an initial performance test; in this example, this part would apply to the control device and capture system, but not to the remaining elements of the coating line, such as raw material usage).

(B) Exemption for backup utility power emissions units. The requirements of this part shall not apply to a utility unit, as defined in §72.2 of Chapter 11, Section 2(b) that is municipally-owned if the owner or operator provides documentation in a Chapter 6, Section 3, operating permit application that:

(I) The utility unit is exempt from all monitoring requirements in Chapter 11, Section 2(b), Acid Rain, Continuous emission monitoring (including the appendices thereto);

(II) The utility unit is operated for the sole purpose of providing electricity during periods of peak electrical demand or emergency situations and will be operated consistent with that purpose throughout the Chapter 6, Section 3, operating permit term. The owner or operator shall provide historical operating data and relevant contractual obligations to document that this criterion is satisfied; and

(III) The actual emissions from the utility unit, based on the average annual emissions over the last three calendar years of operation (or such shorter time period that is available for units with fewer than three years of operation) are less than 50 percent of the amount in tons per year required for a source to be classified as a major source and are expected to remain so.

(c) Monitoring design criteria.

(i) General criteria. To provide a reasonable assurance of compliance with emission limitations or standards for the anticipated range of operations at a pollutant-specific emissions unit, monitoring under this part shall meet the following general criteria:

(A) The owner or operator shall design the monitoring to obtain data for one or more indicators of emission control performance for the control device, any associated capture system and, if necessary to satisfy paragraph (c)(i)(B) of this section, processes at a pollutant-specific emissions unit. Indicators of performance may include, but are not limited to, direct or predicted emissions (including visible emissions or opacity), process and control device parameters that affect control device (and capture system)

efficiency or emission rates, or recorded findings of inspection and maintenance activities conducted by the owner or operator.

(B) The owner or operator shall establish an appropriate range(s) or designated condition(s) for the selected indicator(s) such that operation within the ranges provides a reasonable assurance of ongoing compliance with emission limitations or standards for the anticipated range of operating conditions. Such range(s) or condition(s) shall reflect the proper operation and maintenance of the control device (and associated capture system), in accordance with applicable design properties, for minimizing emissions over the anticipated range of operating conditions at least to the level required to achieve compliance with the applicable requirements. The reasonable assurance of compliance will be assessed by maintaining performance within the indicator range(s) or designated condition(s). The ranges shall be established in accordance with the design and performance requirements in this section and documented in accordance with the requirements in Chapter 7, Section 3(d). If necessary to assure that the control device and associated capture system can satisfy this criterion, the owner or operator shall monitor appropriate process operational parameters (such as total throughput where necessary to stay within the rated capacity for a control device). In addition, unless specifically stated otherwise by an applicable requirement, the owner or operator shall monitor indicators to detect any bypass of the control device (or capture system) to the atmosphere, if such bypass can occur based on the design of the pollutant-specific emissions unit.

(C) The design of indicator ranges or designated conditions may be:

(I) Based on a single maximum or minimum value if appropriate (e.g., maintaining condenser temperatures a certain number of degrees below the condensation temperature of the applicable compound(s) being processed) or at multiple levels that are relevant to distinctly different operating conditions (e.g., high versus low load levels);

(II) Expressed as a function of process variables (e.g., an indicator range expressed as minimum to maximum pressure drop across a venturi throat in a particulate control scrubber);

(III) Expressed as maintaining the applicable parameter in a particular operational status or designated condition (e.g., position of a damper controlling gas flow to the atmosphere through a by-pass duct);

(IV) Established as interdependent between more than one indicator.

(ii) Performance criteria. The owner or operator shall design the monitoring to meet the following performance criteria:

(A) Specifications that provide for obtaining data that are representative of the emissions

or parameters being monitored (such as detector location and installation specifications, if applicable);

(B) For new or modified monitoring equipment, verification procedures to confirm the operational status of the monitoring prior to the date by which the owner or operator must conduct monitoring under this part as specified in Chapter 7, Section 3(g)(i). The owner or operator shall consider the monitoring equipment manufacturer's requirements or recommendations for installation, calibration, and start-up operation;

(C) Quality assurance and control practices that are adequate to ensure the continuing validity of the data. The owner or operator shall consider manufacturer recommendations or requirements applicable to the monitoring in developing appropriate quality assurance and control practices;

(D) Specifications for the frequency of conducting the monitoring, the data collection procedures that will be used (e.g., computerized data acquisition and handling, alarm sensor, or manual log entries based on gauge readings), and, if applicable, the period over which discrete data points will be averaged for the purpose of determining whether an excursion or exceedance has occurred.

(I) At a minimum, the owner or operator shall design the period over which data are obtained and, if applicable, averaged consistent with the characteristics and typical variability of the pollutant-specific emissions unit (including the control device and associated capture system). Such intervals shall be commensurate with the time period over which a change in control device performance that would require actions by owner or operator to return operations within normal ranges or designated conditions is likely to be observed.

(II) For all pollutant-specific emissions units with the potential to emit, calculated including the effect of control devices, the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, for each parameter monitored, the owner or operator shall collect four or more data values equally spaced over each hour and average the values, as applicable, over the applicable averaging period as determined in accordance with paragraph (c)(ii)(D)(I) of this section. The Division may approve a reduced data collection frequency, if appropriate, based on information presented by the owner or operator concerning the data collection mechanisms available for a particular parameter for the particular pollutant-specific emissions unit (e.g., integrated raw material or fuel analysis data, noninstrumental measurement of waste feed rate or visible emissions, use of a portable analyzer or an

alarm sensor).

(III) For other pollutant-specific emissions units, the frequency of data collection may be less than the frequency specified in subparagraph (c)(ii)(D)(II) of this section but the monitoring shall include some data collection at least once per 24-hour period (e.g., a daily inspection of a carbon adsorber operation in conjunction with a weekly or monthly check of emissions with a portable analyzer).

(iii) Evaluation factors. In designing monitoring to meet the requirements in paragraphs (c)(i) and (c)(ii) of this section, the owner or operator shall take into account site-specific factors including the applicability of existing monitoring equipment and procedures, the ability of the monitoring to account for process and control device operational variability, the reliability and latitude built into the control technology, and the level of actual emissions relative to the compliance limitation.

(iv) Special criteria for the use of continuous emission, opacity or predictive monitoring systems.

(A) If a continuous emission monitoring system (CEMS), continuous opacity monitoring system (COMS) or predictive emission monitoring system (PEMS) is required pursuant to other authority under the Act or state or local law, the owner or operator shall use such system to satisfy the requirements of this section.

(B) The use of a CEMS, COMS, or PEMS that satisfies any of the following monitoring requirements shall be deemed to satisfy the general design criteria in paragraphs (c)(i) and (c)(ii) of this section, provided that a COMS may be subject to the criteria for establishing indicator ranges under paragraph (c)(i) of this section:

(I) Section 51.214 and Appendix P of 40 CFR part 51;

(II) Chapter 5, Section 2(j) and Section 2(b)(i), 40 CFR part 60, Appendix B;

(III) Chapter 5, Section 3(j) and any applicable performance specifications required pursuant to the applicable subpart of Chapter 5, Section 3;

(IV) Chapter 11, Section 2b, Acid Rain, Continuous emission monitoring;

(V) 40 CFR part 266, Subpart H and appendix IX; or

(VI) If an applicable requirement does not otherwise require compliance with the requirements listed in the preceding paragraphs (c)(iv)(B)(I)-(V) of this section, comparable requirements and specifications established by the Division.

(C) The owner or operator shall design the monitoring system subject to subsection (c)(iv) to:

(I) Allow for reporting of exceedances (or excursions if applicable to a COMS used to

assure compliance with a particulate matter standard), consistent with any period for reporting of exceedances in an underlying requirement. If an underlying requirement does not contain a provision for establishing an averaging period for the reporting of exceedances or excursions, the criteria used to develop an averaging period in (c)(ii)(D) of this section shall apply; and

(II) Provide an indicator range consistent with paragraph (c)(i) of this section for a COMS used to assure compliance with a particulate matter standard. If an opacity standard applies to the pollutant-specific emissions unit, such limit may be used as the appropriate indicator range unless the opacity limit fails to meet the criteria in paragraph (c)(i) of this section after considering the type of control device and other site-specific factors applicable to the pollutant-specific emissions unit.

(d) Submittal requirements.

(i) The owner or operator shall submit to the Division monitoring that satisfies the design requirements in Chapter 7, Section 3(c). The submission shall include the following information:

(A) The indicators to be monitored to satisfy Chapter 7, Section 3(c)(i)(A)-(B);

(B) The ranges or designated conditions for such indicators, or the process by which such indicator ranges or designated conditions shall be established;

(C) The performance criteria for the monitoring to satisfy Chapter 7, Section 3(c)(ii); and

(D) If applicable, the indicator ranges and performance criteria for a CEMS, COMS or PEMS pursuant to Chapter 7, Section 3(c)(iv).

(ii) As part of the information submitted, the owner or operator shall submit a justification for the proposed elements of the monitoring. If the performance specifications proposed to satisfy Chapter 7, Section 3(c)(ii)(B) or (C) include differences from manufacturer recommendations, the owner or operator shall explain the reasons for the differences between the requirements proposed by the owner or operator and the manufacturer's recommendations or requirements. The owner or operator also shall submit any data supporting the justification, and may refer to generally available sources of information used to support the justification (such as generally available air pollution engineering manuals, or EPA publications on appropriate monitoring for various types of control devices or capture systems). To justify the appropriateness of the monitoring elements proposed, the owner or operator may rely in part on existing applicable requirements that establish the monitoring for the applicable pollutant-specific emissions unit or a similar unit. If an owner or operator relies on presumptively acceptable monitoring, no

further justification for the appropriateness of that monitoring should be necessary other than an explanation of the applicability of such monitoring to the unit in question, unless data or information is brought forward to rebut the assumption. Presumptively acceptable monitoring includes:

(A) Presumptively acceptable or required monitoring approaches, established by the Division in a rule that constitutes part of the applicable implementation plan required pursuant to title I of the Act, that are designed to achieve compliance with this section for particular pollutant-specific emissions units;

(B) Continuous emission, opacity or predictive emission monitoring systems that satisfy applicable monitoring requirements and performance specifications as specified in Chapter 7, Section 3(c)(iv);

(C) Excepted or alternative monitoring methods allowed or approved pursuant to Chapter 11, Section 2(b), Acid Rain, Continuous emission monitoring;

(D) Monitoring included for standards exempt from this section pursuant to Chapter 7, Section 3(b)(ii)(A)(I) or (VI) to the extent such monitoring is applicable to the performance of the control device (and associated capture system) for the pollutant-specific emissions unit; and

(E) Presumptively acceptable monitoring identified in guidance by EPA. Such guidance will address the requirements under Chapter 7, Section 3(d)(i),(ii) and (iii) to the extent practicable.

(iii) (A) Except as provided in Chapter 7, Section 3(d)(iv), the owner or operator shall submit control device (and process and capture system, if applicable) operating parameter data obtained during the conduct of the applicable compliance or performance test conducted under conditions specified by the applicable rule. If the applicable rule does not specify testing conditions or only partially specifies test conditions, the performance test generally shall be conducted under conditions representative of maximum emissions potential under anticipated operating conditions at the pollutant-specific emissions unit. Such data may be supplemented, if desired, by engineering assessments and manufacturer's recommendations to justify the indicator ranges (or, if applicable, the procedures for establishing such indicator ranges). Emission testing is not required to be conducted over the entire indicator range or range of potential emissions.

(B) The owner or operator must document that no changes to the pollutant-specific emissions unit, including the control device and capture system, have taken place that could result in a significant change in the control system performance or the selected ranges or designated conditions for the indicators to be monitored since the performance or compliance tests were conducted

(iv) If existing data from unit-specific compliance or performance testing specified in Chapter 7, Section 3(d)(iii) are not available, the owner or operator:

(A) Shall submit a test plan and schedule for obtaining such data in accordance with Chapter 7, Section 3(d)(v); or

(B) May submit indicator ranges (or procedures for establishing indicator ranges) that rely on engineering assessments and other data, provided that the owner or operator demonstrates that factors specific to the type of monitoring, control device, or pollutant-specific emissions unit make compliance or performance testing unnecessary to establish indicator ranges at levels that satisfy the criteria in Chapter 7, Section 3(c)(i).

(v) If the monitoring submitted by the owner or operator requires installation, testing, or other necessary activities prior to use of the monitoring for purposes of this part, the owner or operator shall include an implementation plan and schedule for installing, testing and performing any other appropriate activities prior to use of the monitoring. The implementation plan and schedule shall provide for use of the monitoring as expeditiously as practicable after approval of the monitoring in the Chapter 6, Section 3 operating permit pursuant to Chapter 7, Section 3(f), but in no case shall the schedule for completing installation and beginning operation of the monitoring exceed 180 days after approval of the permit.

(vi) If a control device is common to more than one pollutant-specific emissions unit, the owner or operator may submit monitoring for the control device and identify the pollutant-specific emissions units affected and any process or associated capture device conditions that must be maintained or monitored in accordance with Chapter 7, Section 3(c)(i) rather than submit separate monitoring for each pollutant-specific emissions unit.

(vii) If a single pollutant-specific emissions unit is controlled by more than one control device similar in design and operation, the owner or operator may submit monitoring that applies to all the control devices and identify the control devices affected and any process or associated capture device conditions that must be maintained or monitored in accordance with Chapter 7, Section 3(c)(i) rather than submit a separate description of monitoring for each control device.

(e) Deadlines for submittals.

(i) Large pollutant-specific emissions units.

For all pollutant-specific emissions units with the potential to emit (taking into account control devices to the extent appropriate under the definition of this term in Chapter 7, Section 3(a) the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year,

required for a source to be classified as a major source, the owner or operator shall submit the information required under Chapter 7, Section 3(d) at the following times:

(A) On or after April 20, 1998, the owner or operator shall submit information as part of an application for an initial Chapter 6, Section 3 operating permit if, by that date, the application either:

(I) Has not been filed; or

(II) Has not yet been determined to be complete by the Division.

(B) On or after April 20, 1998, the owner or operator shall submit information as part of an application for a significant permit revision under Chapter 6, Section 3, but only with respect to those pollutant-specific emissions units for which the proposed permit revision is applicable.

(C) The owner or operator shall submit any information not submitted under the deadlines set forth in Chapter 7, Section 3(e)(i)(A) and (B) as part of the application for the renewal of a Chapter 6, Section 3 operating permit.

(ii) Other pollutant-specific emissions units.

For all other pollutant-specific emissions units subject to this part and not subject to Chapter 7, Section 3(e)(i), the owner or operator shall submit the information required under Chapter 7, Section 3(d) as part of an application for a renewal of a Chapter 6, Section 3 operating permit.

(iii) The effective date for the requirement to submit information under Chapter 7, Section 3(d) shall be as specified pursuant to Chapter 7, Section 3(e)(i)-(iii) and a permit reopening to require the submittal of information under this section shall not be required pursuant to Chapter 6, Section 3(d)(vii)(A)(I), provided, however, that, if a Chapter 6, Section 3 operating permit is reopened for cause by EPA or the Division pursuant to Chapter 6, Section 3(d)(vii)(A)(III) or (IV), the applicable agency may require the submittal of information under this section for those pollutant-specific emissions units that are subject to this part and that are affected by the permit reopening.

(iv) Prior to approval of monitoring that satisfies this part, the owner or operator is subject to the requirements of Chapter 6, Section 3(h)(i)(C)(I)(2).

(f) Approval of monitoring.

(i) Based on an application that includes the information submitted in accordance with Chapter 7, Section 3(e), the Division shall act to approve the monitoring submitted by the owner or operator by confirming that the monitoring satisfies the requirements in Chapter 7, Section 3(c).

(ii) In approving monitoring under this section, the Division may condition the approval on the owner or operator collecting additional data on the indicators to be

monitored for a pollutant-specific emissions unit, including required compliance or performance testing, to confirm the ability of the monitoring to provide data that are sufficient to satisfy the requirements of this part and to confirm the appropriateness of an indicator range(s) or designated condition(s) proposed to satisfy Chapter 7, Section 3(c)(i)(B) and (C) and consistent with the schedule in Chapter 7, Section 3(d)(v).

(iii) If the Division approves the proposed monitoring, the Division shall establish one or more permit terms or conditions that specify the required monitoring in accordance with Chapter 6, Section 3(h)(i)(c)(I). At a minimum, the permit shall specify:

(A) The approved monitoring approach that includes all of the following:

(I) The indicator(s) to be monitored (such as temperature, pressure drop, emissions, or similar parameter);

(II) The means or device to be used to measure the indicator(s) (such as temperature measurement device, visual observation, or CEMS); and

(III) The performance requirements established to satisfy Chapter 7, Section 3(c)(ii) or (iv), as applicable.

(B) The means by which the owner or operator will define an exceedance or excursion for purposes of responding to and reporting exceedances or excursions under Chapter 7, Section 3(g) and (h). The permit shall specify the level at which an excursion or exceedance will be deemed to occur, including the appropriate averaging period associated with such exceedance or excursion. For defining an excursion from an indicator range or designated condition, the permit may either include the specific value(s) or condition(s) at which an excursion shall occur, or the specific procedures that will be used to establish that value or condition. If the latter, the permit shall specify appropriate notice procedures for the owner or operator to notify the Division upon any establishment or reestablishment of the value.

(C) The obligation to conduct the monitoring and fulfill the other obligations specified in Chapter 7, Section 3(g) through (i).

(D) If appropriate, a minimum data availability requirement for valid data collection for each averaging period, and, if appropriate, a minimum data availability requirement for the averaging periods in a reporting period.

(iv) If the monitoring proposed by the owner or operator requires installation, testing or final verification of operational status, the Chapter 6, Section 3 operating permit shall include an enforceable schedule with appropriate milestones for completing such installation, testing, or final verification consistent with the requirements in Chapter 7, Section 3(d)(v).

(v) If the Division disapproves the proposed

monitoring, the following applies:

(A) The draft or final permit shall include, at a minimum, monitoring that satisfies the requirements of Chapter 6, Section 3(h)(i)(C)(I)(2.);

(B) The Division shall include in the draft or final permit a compliance schedule for the source owner to submit monitoring that satisfies Chapter 7, Section 3(c) and (d), but in no case shall the owner or operator submit revised monitoring more than 180 days from the date of issuance of the Chapter 6, Section 3 operating permit; and

(C) If the source owner or operator does not submit the monitoring in accordance with the compliance schedule as required in Chapter 7, Section 3(f)(v)(B) or if the Division disapproves the monitoring submitted, the source owner or operator shall be deemed not in compliance with Chapter 7, Section 3, unless the source owner or operator successfully challenges the disapproval.

(g) Operation of approved monitoring.

(i) Commencement of operation. The owner or operator shall conduct the monitoring required under this part upon issuance of a Chapter 6, Section 3 operating permit that includes such monitoring, or by such later date specified in the permit pursuant to Chapter 7, Section 3(f)(v).

(ii) Proper maintenance. At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.

(iii) Continued operation. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(iv) Response to excursions or exceedances.

(A) Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device

and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

(B) Determination of whether the owner or operator has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

(v) Documentation of need for improved monitoring. After approval of monitoring under this part, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the Division and, if necessary, submit a proposed modification to the Chapter 6, Section 3 operating permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

(h) Quality improvement plan (QIP) requirements.

(i) Based on the results of a determination made under Chapter 7, Section 3(g)(iv)(B), the Administrator or the Division may require the owner or operator to develop and implement a QIP. Consistent with Chapter 7, Section 3(f)(iii)(C), the Chapter 6, Section 3 operating permit may specify an appropriate threshold, such as an accumulation of exceedances or excursions exceeding 5 percent duration of a pollutant-specific emissions unit's operating time for a reporting period, for requiring the implementation of a QIP. The threshold may be set at a higher or lower percent or may rely on other criteria for purposes of indicating whether a pollutant-

specific emissions unit is being maintained and operated in a manner consistent with good air pollution control practices.

(ii) Elements of a QIP.

(A) The owner or operator shall maintain a written QIP, if required, and have it available for inspection.

(B) The plan initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

(I) Improved preventive maintenance practices.

(II) Process operation changes.

(III) Appropriate improvements to control methods.

(IV) Other steps appropriate to correct control performance.

(V) More frequent or improved monitoring (only in conjunction with one or more steps under Chapter 7, Section 3(h)(ii)(B)(I)-(IV)).

(iii) If a QIP is required, the owner or operator shall develop and implement a QIP as expeditiously as practicable and shall notify the Division if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.

(iv) Following implementation of a QIP, upon any subsequent determination pursuant to Chapter 7, Section 3(g)(iv)(B), the Administrator or the Division may require that an owner or operator make reasonable changes to the QIP if the QIP is found to have:

(A) Failed to address the cause of the control device performance problems; or

(B) Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(v) Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing

monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act.

(i) Reporting and recordkeeping requirements.

(i) General reporting requirements.

(A) On and after the date specified in Chapter 7, Section 3(g)(i) by which the owner or operator must use monitoring that meets the requirements of this part, the owner or operator shall submit monitoring reports to the Division in accordance with Chapter 6, Section 3(h)(i)(C)(III).

(B) A report for monitoring under this part shall include, at a minimum, the information required under Chapter 6, Section 3(h)(i)(C)(III) and the following information, as applicable:

(I) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

(II) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

(III) A description of the actions taken to implement a QIP during the reporting period as specified in Chapter 7, Section 3(h). Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

(ii) General recordkeeping requirements.

(A) The owner or operator shall comply with the recordkeeping requirements specified in Chapter 6, Section 3(h)(i)(C)(II). The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to Chapter 7, Section 3(h) and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this part (such as data used to document the

adequacy of monitoring, or records of monitoring maintenance or corrective actions).

(B) Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.

(j) Savings provisions.

(i) Nothing in this part shall:

(A) Excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act. The requirements of this part shall not be used to justify the approval of monitoring less stringent than the monitoring which is required under separate legal authority and are not intended to establish minimum requirements for the purpose of determining the monitoring to be imposed under separate authority under the Act, including monitoring in permits issued pursuant to Chapter 6, Section 2. The purpose of this part is to require, as part of the issuance of a permit under Chapter 6, Section 3, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of this part.

(B) Restrict or abrogate the authority of the Administrator or the Division to impose additional or more stringent monitoring, recordkeeping, testing, or reporting requirements on any owner or operator of a source under any provision of the Act, including but not limited to sections 114(a)(1) and 504(b), or state law, as applicable.

(C) Restrict or abrogate the authority of the Administrator or Division to take any enforcement action under the Act for any violation of an applicable requirement or of any person to take action under section 304 of the Act.

