

intermediates; a process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the product.

[72 FR 64896, Nov. 16, 2007, as amended at 73 FR 31380, June 2, 2008]

EFFECTIVE DATE NOTES: 1. At 73 FR 31380, June 2, 2008, in § 60.590a was amended by adding paragraph (e), effective June 2, 2008 to Aug. 1, 2008.

2. At 73 FR 31376, June 2, 2008, § 60.590a was amended by adding a new paragraph (e), effective Aug. 1, 2008. For the convenience of the user, the new paragraph (e) is set forth below.

§ 60.590a Applicability and designation of affected facility.

* * * * *

(e) *Stay of standards.* Owners or operators are not required to comply with the definition of “process unit” in § 60.590 of this subpart until the EPA takes final action to require compliance and publishes a document in the FEDERAL REGISTER. While the definition of “process unit” is stayed, owners or operators should use the following definition:

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.

§ 60.591a Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act, in subpart A of part 60, or in subpart VVa of this part, 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.

Asphalt (also known as Bitumen) is a black or dark brown solid or semi-solid thermo-plastic material possessing water-proofing and adhesive properties. It is a complex combination of higher molecular weight organic compounds containing a relatively high proportion of hydrocarbons having carbon numbers

greater than C25 with a high carbon to hydrogen ratio. It is essentially non-volatile at ambient temperatures with closed cup flash point of 445 °F (230 °C) or greater.

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 § 60.593a(b).

In light liquid service means that the piece of equipment contains a liquid that meets the conditions specified in § 60.593a(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 the components assembled and connected by pipes or ducts to process raw materials and 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. For the purpose of this subpart, process unit includes any feed, intermediate and final product storage vessels (except as specified in § 60.482-1a(g)), product transfer racks, and connected ducts and piping. A process unit includes all equipment as defined in this subpart.

EFFECTIVE DATE NOTE: At 73 FR 31380, June 2, 2008, § 60.591a, the definition of “process unit” was stayed from June 2, 2008 to Aug. 1, 2008. At 73 FR 31376, June 2, 2008, the definition of “process unit” was further stayed from Aug. 1, 2008 until further notice.

§ 60.592a Standards.

(a) Each owner or operator subject to the provisions of this subpart shall comply with the requirements of

§ 60.593a

40 CFR Ch. I (7-1-08 Edition)

§§ 60.482-1a to 60.482-10a as soon as practicable, but no later than 180 days after initial startup.

(b) For a given process unit, an owner or operator may elect to comply with the requirements of paragraphs (b)(1), (2), or (3) of this section as an alternative to the requirements in § 60.482-7a.

(1) Comply with § 60.483-1a.

(2) Comply with § 60.483-2a.

(3) Comply with the Phase III provisions in § 63.168, except an owner or operator may elect to follow the provisions in § 60.482-7a(f) instead of § 63.168 for any valve that is designated as being leakless.

(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 § 60.484a.

(d) Each owner or operator subject to the provisions of this subpart shall comply with the provisions of § 60.485a except as provided in § 60.593a.

(e) Each owner or operator subject to the provisions of this subpart shall comply with the provisions of §§ 60.486a and 60.487a.

§ 60.593a Exceptions.

(a) Each owner or operator subject to the provisions of this subpart may comply with the following exceptions to the provisions of subpart VVa of this part.

(b)(1) Compressors in hydrogen service are exempt from the requirements of § 60.592a 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) of this section 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 § 60.482-3a(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 § 60.482-3a(a), (b), (c), (d), (e), and (h).

(d) An owner or operator may use the following provision in addition to § 60.485a(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, 93, 95, or 96 (incorporated by reference as specified in § 60.17).

(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 §§ 60.482-2a and 60.482-7a.

(f) Open-ended valves or lines containing asphalt as defined in § 60.591a are exempt from the requirements of § 60.482-6a(a) through (c).

(g) Connectors in gas/vapor or light liquid service are exempt from the requirements in § 60.482-11a, provided the owner or operator complies with