

§ 60.109a

40 CFR Ch. I (7-1-09 Edition)

(5) For each fuel gas stream to which one of the exemptions listed in § 60.107a(a)(3) applies, records of the specific exemption determined to apply for each fuel stream. If the owner or operator applies for the exemption described in § 60.107a(a)(3)(iv), the owner or operator must keep a copy of the application as well as the letter from the Administrator granting approval of the application.

(6) The owner or operator shall record and maintain records of discharges greater than 500 lb/day SO₂ from any affected fuel gas combustion device or sulfur recovery plant and discharges to an affected flare in excess of 500,000 scfd. These records shall include:

(i) A description of the discharge.

(ii) For discharges greater than 500 lb/day SO₂, the date and time the discharge was first identified and the duration of the discharge.

(iii) The measured or calculated cumulative quantity of gas discharged over the discharge duration. If the discharge duration exceeds 24 hours, record the discharge quantity for each 24-hour period. Engineering calculations are allowed for fuel gas combustion devices other than flares.

(iv) For discharges greater than 500 lb/day SO₂, the measured or estimated concentration of H₂S, TRS and SO₂ of the stream discharged. Process knowledge can be used to make these estimates for fuel gas combustion devices other than flares.

(v) For discharges greater than 500 lb/day SO₂, the cumulative quantity of H₂S and SO₂ released into the atmosphere. For releases controlled by flares, assume 99 percent conversion of reduced sulfur to SO₂. For other fuel gas combustion devices, assume 99 percent conversion of H₂S to SO₂.

(vi) Results of any root-cause analysis conducted as required in § 60.103a(a)(4) and § 60.103a(b).

(d) Each owner or operator subject to this subpart shall submit an excess emissions report for all periods of excess emissions according to the requirements of § 60.7(c) except that the report shall contain the information specified in paragraphs (d)(1) through (7) of this section.

(1) The date that the exceedance occurred;

(2) An explanation of the exceedance;

(3) Whether the exceedance was concurrent with a startup, shutdown, or malfunction of an affected facility or control system; and

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

(5) A root-cause summary report that provides the information described in paragraph (e)(6) of this section for all discharges for which a root-cause analysis was required by § 60.103a(a)(4) and § 60.103a(b).

(6) For any periods for which monitoring data are not available, any changes 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.

(7) A written statement, signed by a responsible official, certifying the accuracy and completeness of the information contained in the report.

§ 60.109a Delegation of authority.

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as a State, local, or tribal agency. You should contact your U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency within your State.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency, the approval authorities contained in paragraphs (b)(1) through (3) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(1) Approval of a major change to test methods under § 60.8(b). A "major change to test method" is defined in 40 CFR 63.90.

(2) Approval of a major change to monitoring under § 60.13(i). A "major change to monitoring" is defined in 40 CFR 63.90.

(3) Approval of a major change to recordkeeping/reporting under § 60.7(b) through (f). A "major change to recordkeeping/reporting" is defined in 40 CFR 63.90.

Subpart K—Standards of Performance for Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978

§ 60.110 Applicability and designation of affected facility.

(a) Except as provided in § 60.110(b), the affected facility to which this subpart applies is each storage vessel for petroleum liquids which has a storage capacity greater than 151,412 liters (40,000 gallons).

(b) This subpart does not apply to storage vessels for petroleum or condensate stored, processed, and/or treated at a drilling and production facility prior to custody transfer.

(c) Subject to the requirements of this subpart is any facility under paragraph (a) of this section which:

(1) Has a capacity greater than 151,416 liters (40,000 gallons), but not exceeding 246,052 liters (65,000 gallons), and commences construction or modification after March 8, 1974, and prior to May 19, 1978.

(2) Has a capacity greater than 246,052 liters (65,000 gallons) and commences construction or modification after June 11, 1973, and prior to May 19, 1978.

[42 FR 37937, July 25, 1977, as amended at 45 FR 23379, Apr. 4, 1980]

§ 60.111 Definitions.

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

(a) *Storage vessel* means any tank, reservoir, or container used for the storage of petroleum liquids, but does not include:

(1) Pressure vessels which are designed to operate in excess of 15 pounds per square inch gauge without emissions to the atmosphere except under emergency conditions,

(2) Subsurface caverns or porous rock reservoirs, or

(3) Underground tanks if the total volume of petroleum liquids added to and taken from a tank annually does not exceed twice the volume of the tank.

(b) *Petroleum liquids* means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean Nos. 2 through 6 fuel oils as specified in ASTM D396-78, 89, 90, 92, 96, or 98, gas turbine fuel oils Nos. 2-GT through 4-GT as specified in ASTM D2880-78 or 96, or diesel fuel oils Nos. 2-D and 4-D as specified in ASTM D975-78, 96, or 98a. (These three methods are incorporated by reference—see § 60.17.)

(c) *Petroleum refinery* means each facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of petroleum or through redistillation, cracking, extracting, or reforming of unfinished petroleum derivatives.

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

(e) *Hydrocarbon* means any organic compound consisting predominantly of carbon and hydrogen.

(f) *Condensate* means hydrocarbon liquid separated from natural gas which condenses due to changes in the temperature and/or pressure and remains liquid at standard conditions.

(g) *Custody transfer* means the transfer of produced petroleum and/or condensate, after processing and/or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

(h) *Drilling and production facility* means all drilling and servicing equipment, wells, flow lines, separators, equipment, gathering lines, and auxiliary nontransportation-related equipment used in the production of petroleum but does not include natural gasoline plants.

(i) *True vapor pressure* means the equilibrium partial pressure exerted by a petroleum liquid as determined in accordance with methods described in American Petroleum Institute Bulletin 2517, Evaporation Loss from External