

## Environmental Protection Agency

## § 60.110

operation of the control system and affected facility before and following the period of data unavailability.

(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]

### **§ 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 at 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 a written notification of the change in a quarterly report that must be submitted for the quarter in which the change occurred.

[54 FR 34030, Aug. 17, 1989, as amended at 55 FR 40178, Oct. 2, 1990]

### **§ 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]

## **Subpart K—Standards of Performance for Storage Vessels for Petroleum Liquids 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, gas turbine fuel oils Nos. 2-GT through 4-GT as specified in ASTM D2880-78, or diesel fuel oils Nos. 2-D and 4-D as specified in ASTM D975-78. (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 Floating-Roof Tanks, Second Edition, February 1980 (incorporated by reference—see § 60.17).

(j) *Floating roof* means a storage vessel cover consisting of a double deck, pontoon single deck, internal floating cover or covered floating roof, which rests upon and is supported by the petroleum liquid being contained, and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

(k) *Vapor recovery system* means a vapor gathering system capable of collecting all hydrocarbon vapors and gases discharged from the storage vessel and a vapor disposal system capable of processing such hydrocarbon vapors and gases so as to prevent their emission to the atmosphere.

(l) *Reid vapor pressure* is the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids, except liquified petroleum gases, as determined by ASTM D323-82 (incorporated by reference—see § 60.17).

[39 FR 9317, Mar. 8, 1974; 39 FR 13776, Apr. 17, 1974, as amended at 39 FR 20794, June 14, 1974; 45 FR 23379, Apr. 4, 1980; 48 FR 3737, Jan. 27, 1983; 52 FR 11429, Apr. 8, 1987]

**§ 60.112 Standard for volatile organic compounds (VOC).**

(a) The owner or operator of any storage vessel to which this subpart applies shall store petroleum liquids as follows:

(1) If the true vapor pressure of the petroleum liquid, as stored, is equal to or greater than 78 mm Hg (1.5 psia) but not greater than 570 mm Hg (11.1 psia), the storage vessel shall be equipped with a floating roof, a vapor recovery system, or their equivalents.

(2) If the true vapor pressure of the petroleum liquid as stored is greater than 570 mm Hg (11.1 psia), the storage vessel shall be equipped with a vapor recovery system or its equivalent.

[39 FR 9317, Mar. 8, 1974; 39 FR 13776, Apr. 17, 1974, as amended at 45 FR 23379, Apr. 4, 1980]

**§ 60.113 Monitoring of operations.**

(a) Except as provided in paragraph (d) of this section, the owner or operator subject to this subpart shall maintain a record of the petroleum liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period.

(b) Available data on the typical Reid vapor pressure and the maximum expected storage temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517, unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

(c) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa (2.0 psia) or whose physical properties preclude determination by the recommended method is to be determined from available data and recorded if the estimated true vapor pressure is greater than 6.9 kPa (1.0 psia).

(d) The following are exempt from the requirements of this section:

(1) Each owner or operator of each affected facility which stores petroleum liquids with a Reid vapor pressure of less than 6.9 kPa (1.0 psia) provided the

maximum true vapor pressure does not exceed 6.9 kPa (1.0 psia).

(2) Each owner or operator of each affected facility equipped with a vapor recovery and return or disposal system in accordance with the requirements of § 60.112.

[45 FR 23379, Apr. 4, 1980]

**Subpart Ka—Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984****§ 60.110a Applicability and designation of affected facility.**

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel for petroleum liquids which has a storage capacity greater than 151,416 liters (40,000 gallons) and for which construction is commenced after May 18, 1978.

(b) Each petroleum liquid storage vessel with a capacity of less than 1,589,873 liters (420,000 gallons) used for petroleum or condensate stored, processed, or treated prior to custody transfer is not an affected facility and, therefore, is exempt from the requirements of this subpart.

[45 FR 23379, Apr. 4, 1980]

**§ 60.111a Definitions.**

In addition to the terms and their definitions listed in the Act and subpart A of this part the following definitions apply in this subpart:

(a) *Storage vessel* means each 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 204.9 kPa (15 psig) 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