

## § 61.301

## 40 CFR Ch. I (7-1-12 Edition)

CFR part 65, subpart E, must also comply with §§ 61.01, 61.02, 61.05 through 61.08, 61.10(b) through (d), 61.11, and 61.15 for those loading racks. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (f)(2) do not apply to owners or operators of loading racks complying with 40 CFR part 65, subpart E, 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 E, must comply with 40 CFR part 65, subpart A.

[55 FR 8341, Mar. 7, 1990, as amended at 55 FR 45804, Oct. 31, 1990; 65 FR 78284, Dec. 14, 2000]

### § 61.301 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act, or in subpart A or subpart V of part 61.

*Bulk terminal* means any facility which receives liquid product containing benzene by pipelines, marine vessels, tank trucks, or railcars, and loads the product for further distribution into tank trucks, railcars, or marine vessels.

*Car-sealed* means having a seal that is placed on the device used to change the position of a valve (e.g., from open to closed) such that the position of the valve cannot be changed without breaking the seal and requiring the replacement of the old seal, once broken, with a new seal.

*Control device* means all equipment used for recovering or oxidizing benzene vapors displaced from the affected facility.

*Incinerator* means any enclosed combustion device that is used for destroying organic compounds and that does not extract energy in the form of steam or process heat. These devices do not rely on the heating value of the waste gas to sustain efficient combustion. Auxiliary fuel is burned in the device and the heat from the fuel flame heats the waste gas to combustion temperature. Temperature is controlled by controlling combustion air or fuel.

*Leak* means any instrument reading of 10,000 ppmv or greater using Method 21 of 40 CFR part 60, appendix A.

*Loading cycle* means the time period from the beginning of filling a tank truck, railcar, or marine vessel until flow to the control device ceases, as measured by the flow indicator.

*Loading rack* means the loading arms, pumps, meters, shutoff valves, relief valves, and other piping and valves necessary to fill tank trucks, railcars, or marine vessels.

*Marine vessel* means any tank ship or tank barge which transports liquid product such as benzene.

*Nonvapor tight* means any tank truck, railcar, or marine vessel that does not pass the required vapor-tightness test.

*Process heater* means a device that transfers heat liberated by burning fuel to fluids contained in tubes, except water that is heated to produce steam.

*Steam generating unit* means any enclosed combustion device that uses fuel energy in the form of steam.

*Vapor collection system* means any equipment located at the affected facility used for containing benzene vapors displaced during the loading of tank trucks, railcars, or marine vessels. This does not include the vapor collection system that is part of any tank truck, railcar, or marine vessel vapor collection manifold system.

*Vapor-tight marine vessel* means a marine vessel with a benzene product tank that has been demonstrated within the preceding 12 months to have no leaks. This demonstration shall be made using Method 21 of part 60, appendix A, during the last 20 percent of loading and during a period when the vessel is being loaded at its maximum loading rate. A reading of greater than 10,000 ppm as methane shall constitute a leak. As an alternative, a marine vessel owner or operator may use the vapor-tightness test described in § 61.304(f) to demonstrate vapor tightness. A marine vessel operated at negative pressure is assumed to be vapor-tight for the purpose of this standard.

*Vapor-tight tank truck or vapor-tight railcar* means a tank truck or railcar for which it has been demonstrated within the preceding 12 months that its product tank will sustain a pressure change of not more than 750 pascals within 5 minutes after it is pressurized to a minimum of 4,500 pascals. This capability is to be demonstrated using

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the pressure test procedure specified in Method 27 of appendix A to 40 CFR part 60, and a pressure measurement device which has a precision of  $\pm 2.5$  mm water and which is capable of measuring above the pressure at which the tank truck or railcar is to be tested for vapor tightness.

[55 FR 8341, Mar. 7, 1990, as amended at 65 FR 62159, Oct. 17, 2000]

### § 61.302 Standards.

(a) The owner or operator of an affected facility shall equip each loading rack with a vapor collection system that is:

(1) Designed to collect all benzene vapors displaced from tank trucks, railcars, or marine vessels during loading, and

(2) Designed to prevent any benzene vapors collected at one loading rack from passing through another loading rack to the atmosphere.

(b) The owner or operator of an affected facility shall install a control device and reduce benzene emissions routed to the atmosphere through the control device by 98 weight percent. If a boiler or process heater is used to comply with the percent reduction requirement, then the vent stream shall be introduced into the flame zone of such a device.

(c) The owner or operator of an affected facility shall operate any flare used to comply with paragraph (b) of this section in accordance with the requirements of § 60.18 (b) through (f).

(d) The owner or operator of an affected facility shall limit loading of benzene into vapor-tight tank trucks and vapor-tight railcars using the following procedures:

(1) The owner or operator shall obtain the vapor-tightness documentation described in § 61.305(h) for each tank truck or railcar loaded at the affected facility. The test date in the documentation must be within the preceding 12 months. The vapor-tightness test to be used for tank trucks and railcars is Method 27 of appendix A to 40 CFR part 60.

(2) The owner or operator shall cross-check the identification number for each tank truck or railcar to be loaded with the file of vapor-tightness documentation before the corresponding

tank truck or railcar is loaded. If no documentation is on file, the owner or operator shall obtain a copy of the information from the tank truck or railcar operator before the tank truck or railcar is loaded.

(3) Alternate procedures to those described in paragraphs (d)(1) and (d)(2) of this section may be used upon application to, and approval by, the Administrator.

(e) The owner or operator of an affected facility shall limit the loading of marine vessels to those vessels that are vapor tight as determined by either paragraph (e)(1), (e)(2), (e)(3), or (e)(4) of this section.

(1) The owner or operator of an affected facility shall ensure that each marine vessel is loaded with the benzene product tank below atmospheric pressure (i.e., at negative pressure). If the pressure is measured at the interface between the shoreside vapor collection pipe and the marine vessel vapor line, the pressure measured according to the procedures in § 61.303(f) must be below atmospheric pressure.

(2) The owner or operator of an affected facility shall use the following procedure to obtain the vapor-tightness documentation described in § 61.305(h). The vapor-tightness test for marine vessels is Method 21 of appendix A to 40 CFR part 60, and shall be applied to any potential sources of vapor leaks. A reading of 10,000 ppmv or greater as methane shall constitute a leak.

(i) The owner or operator of an affected facility shall obtain the leak test documentation described in § 61.305(h) for each marine vessel prior to loading, if available. The date of the test listed in the documentation must be within the 12 preceding months.

(ii) If there is no documentation of a successful leak test conducted on the marine vessel in the preceding 12 months, the owner or operator of an affected facility shall require that a leak test of the marine vessel be conducted during the final 20 percent of loading of the marine vessel or shall not load the vessel. The test shall be conducted when the marine vessel is being loaded at the maximum allowable loading rate.