

(4) You must repair any leak within 15 calendar days after detection of the leak, or document the reason for any delay of repair. For the purposes of this paragraph (a)(4), a leak will be considered “repaired” if a condition specified in paragraph (a)(4)(i), (ii), or (iii) of this section is met.

(i) The visual, audible, olfactory, or other indications of a leak to the atmosphere have been eliminated, or

(ii) No bubbles are observed at potential leak sites during a leak check using soap solution, or

(iii) The system will hold a test pressure.

(5) You must keep records of the dates and results of each inspection event, the dates of equipment repairs, and, if applicable, the reasons for any delay in repair.

(b) *Small heat exchange systems.* For each heat exchange system subject to this subpart with a cooling water flow rate less than 8,000 gallons per minute (gal/min) and not meeting one or more of the conditions in § 63.104(a), you must comply with paragraphs (b)(1) through (3) of this section, or as an alternative, you may comply with any one of the requirements in Item 1.a or 1.b of Table 8 to this subpart.

(1) You must develop and operate in accordance with a heat exchange system inspection plan. The plan must describe the inspections to be performed that will provide evidence of hydrocarbons in the cooling water. Among other things, inspections may include checks for visible floating hydrocarbon on the water, hydrocarbon odor, discolored water, and/or chemical addition rates. You must conduct inspections at least once per quarter, even if the previous inspection determined that the indications of a leak did not constitute a leak as defined by § 63.104(b)(6).

(2) You must perform repairs to eliminate the leak and any indications of a leak or demonstrate that the HAP concentration in the cooling water does not constitute a leak, as defined by § 63.104(b)(6), within 45 calendar days after indications of the leak are identified, or you must document the reason for any delay of repair in your next semiannual compliance report.

(3) You must keep records of the dates and results of each inspection,

documentation of any demonstrations that indications of a leak do not constitute a leak, the dates of leak repairs, and, if applicable, the reasons for any delay in repair.

(c) *Startup, shutdown and malfunction.* Startup, shutdown, and malfunction (SSM) provisions in subparts that are referenced in paragraphs (a) and (b) of this section do not apply.

(d) *General duty.* At all times, you must operate and maintain any affected CMPU, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation 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 operation and maintenance procedures, review of operation and maintenance records, and inspection of the CMPU.

[74 FR 56041, Oct. 29, 2009, as amended at 77 FR 75756, Dec. 21, 2012]

§ 63.11496. What are the standards and compliance requirements for process vents?

(a) *Organic HAP emissions from batch process vents.* You must comply with the requirements in paragraphs (a)(1) through (4) of this section for organic HAP emissions from your batch process vents for each CMPU using Table 1 organic HAP. If uncontrolled organic HAP emissions from all batch process vents from a CMPU subject to this subpart are equal to or greater than 10,000 pounds per year (lb/yr), you must also comply with the emission limits and other requirements in Table 2 to this subpart.

(1) You must determine the sum of actual organic HAP emissions from all of your batch process vents within a CMPU subject to this subpart using process knowledge, engineering assessment, or test data. Emissions for a standard batch in a process may be used to represent actual emissions from each batch in that process. You must maintain records of the calculations. Calculations of annual emissions

are not required if you meet the emission standards for batch process vents in Table 2 to this subpart.

(2) As an alternative to calculating actual emissions for each affected CMPU at your facility, you may elect to estimate emissions for each CMPU based on the emissions for the worst-case CMPU. The worst-case CMPU means the CMPU at the affected source with the highest organic HAP emissions per batch. The worst-case emissions per batch are used with the number of batches run for other affected CMPU. Process knowledge, engineering assessment, or test data may be used to identify the worst-case process. You must keep records of the information and procedures used to identify the worst-case process.

(3) If your current estimate is that emissions from batch process vents from a CMPU are less than 10,000 pounds per year (lb/yr), then you must keep a record of the number of batches of each process operated per month. Also, you must reevaluate your total emissions from batch process vents prior to making any process changes that affect emission calculations in paragraphs (a)(1) and (2) of this section. If projected emissions increase to 10,000 lb/yr or more, you must be in compliance options for batch process vents in Table 2 to this subpart upon initiating operation under the new operating conditions. You must maintain records documenting the results of all updated emissions calculations.

(4) As an alternative to determining the HAP emissions, you may elect to demonstrate that the amount of organic HAP used in the process is less than 10,000 lb/yr. You must keep monthly records of the organic HAP usage.

(b) *Organic HAP emissions from continuous process vents.* You must comply with the requirements in paragraphs (b)(1) through (3) of this section for organic HAP emissions from your continuous process vents for each CMPU subject to this subpart using Table 1 organic HAP. If the total resource-effectiveness (TRE) index value for a continuous process vent is less than or equal to 1.0, you must also comply with the emission limits and other requirements in Table 3 to this subpart.

(1) You must determine the TRE index value according to the procedures in § 63.115(d), except as specified in paragraphs (b)(1)(i) through (iii) of this section.

(i) You are not required to calculate the TRE index value if you control emissions in accordance with Table 3 to this subpart.

(ii) Sections 63.115(d)(1)(i) and (ii) are not applicable for the purposes of this paragraph (b)(1)(ii).

(iii) You may assume the TRE for a vent stream is > 1.0 if the amount of organic HAP emitted in the vent stream is less than 0.1 pound per hour.

(2) If the current TRE index value is greater than 1, you must recalculate the TRE index value before you make any process or operational change that affects parameters in the calculation. If the recalculated TRE is less than or equal to 1.0, then you must comply with one of the compliance options for continuous process vents in Table 3 to this subpart before operating under the new operating conditions. You must maintain records of all TRE calculations.

(3) If a recovery device as defined in § 63.11502 is used to maintain the TRE index value at a level greater than 1.0 and less than or equal to 4.0, you must comply with § 63.982(e) and the requirements specified therein.

(c) *Combined streams.* If you combine organic HAP emissions from batch process vents and continuous process vents, you must comply with the more stringent standard in Table 2 or Table 3 to this subpart that applies to any portion of the combined stream, or you must comply with Table 2 for the batch process vents and Table 3 for the continuous process vents. The TRE index value for continuous process vents and the annual emissions from batch process vents shall be determined for the individual streams before they are combined, and prior to any control (e.g., by subtracting any emission contributions from storage tanks, continuous process vents or batch process vents, as applicable), in order to determine the most stringent applicable requirements.

(d) *Halogenated streams.* You must determine if an emission stream is a halogenated vent stream by calculating

the mass emission rate of halogen atoms in accordance with § 63.115(d)(2)(v). Alternatively, you may elect to designate the emission stream as halogenated. If you use a combustion device to comply with the emission limits for organic HAP from a halogenated batch process vent or a halogenated continuous process vent, you must use a halogen reduction device to meet the emission limit in either paragraph (d)(1) or (d)(2) of this section and in accordance with § 63.994 and the requirements referenced therein.

(1) Reduce overall emissions of hydrogen halide and halogen HAP after the combustion device by greater than or equal to 95 percent, to less than or equal to 0.45 kilograms per hour (kg/hr), or to a concentration less than or equal to 20 parts per million by volume (ppmv).

(2) Reduce the halogen atom mass emission rate before the combustion device to less than or equal to 0.45 kg/hr or to a concentration less than or equal to 20 ppmv.

(e) *Alternative standard for organic HAP.* Exceptions to the requirements for the alternative standard requirements specified in Tables 2 and 3 to this subpart and § 63.2505 are specified in paragraphs (e)(1) through (6) of this section.

(1) When § 63.2505 of subpart FFFF refers to Tables 1 and 2 to subpart FFFF and §§ 63.2455 and 63.2460, it means Tables 2 and 3 to this subpart and § 63.11496(a) and (b).

(2) Sections 63.2505(a)(2) and (b)(9) do not apply.

(3) When § 63.2505(b) references § 63.2445 it means § 63.11494(f) through (h).

(4) The requirements for hydrogen halide and halogen HAP apply only to hydrogen halide and halogen HAP generated in a combustion device that is used to comply with the alternative standard.

(5) When § 63.1258(b)(5)(ii)(B)(2) refers to a “notification of process change” report, it means the semi-annual compliance report required by § 63.11501(d) for the purposes of this subpart.

(6) CEMS requirements and data reduction requirements for CEMS specified in § 63.2450(j) apply.

(f) *Emissions from metal HAP process vents.* You must comply with the requirements in paragraphs (f)(1) and (2) of this section for metal HAP emissions from each CMPU using Table 1 metal HAP. If the collective uncontrolled metal HAP emissions from all metal HAP process vents from a CMPU are equal to or greater than 400 lb/yr, then you must also comply with the emission limits and other requirements in Table 4 to this subpart and in paragraph (f)(3), (4), or (5) of this section. The requirements of this paragraph (f) do not apply to metal HAP process vents from CMPU containing only metal HAP that are in a liquid solution or other form that will not result in particulate emissions of metal HAP (e.g., metal HAP that is in ingot, paste, slurry, or moist pellet form or other form).

(1) You must determine the sum of metal HAP emissions from all metal HAP process vents within a CMPU subject to this subpart, except you are not required to determine the annual emissions if you control the metal HAP process vents within a CMPU in accordance with Table 4 to this subpart or if you determine your total metal HAP usage in the process unit is less than 400 lb/yr. To determine the mass emission rate you may use process knowledge, engineering assessment, or test data. You must keep records of the emissions calculations.

(2) If your current estimate is that total uncontrolled metal HAP emissions from a CMPU subject to this subpart are less than 400 lb/yr, then you must keep records of either the number of batches operated per month (batch vents) or the process operating hours (continuous vents). Also, you must re-evaluate your total emissions before you make any process or operational change that affects emissions of metal HAP. If projected emissions increase to 400 lb/yr or more, then you must be in compliance with one of the options for metal HAP process vents in Table 4 to this subpart upon initiating operation under the new operating conditions. You must keep records of all recalculated emissions determinations.

(3) If you have an existing source subject to the HAP metals emission limits specified in Table 4 to this subpart, you

must comply with the initial compliance and monitoring requirements in paragraphs (f)(3)(i) through (iii) of this section. You must keep records of monitoring results to demonstrate continuous compliance.

(i) You must prepare a monitoring plan containing the information in paragraphs (f)(3)(i)(A) through (E) of this section. The plan must be maintained on-site and be available on request. You must operate and maintain the control device according to a site-specific monitoring plan at all times.

(A) A description of the device;

(B) Results of a performance test or engineering assessment conducted in accordance with paragraph (f)(3)(ii) of this section verifying the performance of the device for reducing HAP metals or particulate matter (PM) to the levels required by this subpart;

(C) Operation and maintenance plan for the control device (including a preventative maintenance schedule consistent with the manufacturer's instructions for routine and long-term maintenance) and continuous monitoring system (CMS).

(D) A list of operating parameters that will be monitored to maintain continuous compliance with the applicable emissions limits; and

(E) Operating parameter limits based on either monitoring data collected during the performance test or established in the engineering assessment.

(ii) You must conduct a performance test or an engineering assessment for each CMPU subject to a HAP metals emissions limit in Table 4 to this subpart and report the results in your Notification of Compliance Status (NOCS). Each performance test or engineering assessment must be conducted under representative operating conditions, and sampling for each performance test must be conducted at both the inlet and outlet of the control device. Upon request, you shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests. If you own or operate an existing affected source, you are not required to conduct a performance test if a prior performance test was conducted within the 5 years prior to the effective date using the same methods specified in

paragraph (f)(3)(iii) of this section, and, either no process changes have been made since the test, or, if you can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process changes.

(iii) If you elect to conduct a performance test, it must be conducted according to requirements in § 63.11410(j)(1). As an alternative to conducting a performance test using Method 5 or 5D to determine the concentration of PM, you may use Method 29 in 40 CFR part 60, appendix A-8 to determine the concentration of HAP metals. You have demonstrated initial compliance if the overall reduction of either HAP metals or total PM is equal to or greater than 95 percent.

(4) If you have a new source using a baghouse as a control device, you must install, operate, and maintain a bag leak detection system on all baghouses used to comply with the HAP metals emissions limit in Table 4 to this subpart. You must comply with the testing, monitoring, and recordkeeping requirements in § 63.11410(g), (i), and (j)(1), except you are not required to submit the monitoring plan required by § 63.11410(g)(2) for approval.

(5) If you have a new source using a control device other than a baghouse to comply with the HAP metals emission limits in Table 4 to this subpart, you must comply with the initial compliance and monitoring requirements in paragraphs (f)(3)(i) through (iii) of this section.

(g) *Exceptions and alternatives to 40 CFR part 63, subpart SS.* If you are complying with the emission limits and other requirements for continuous process vents in Table 3 to this subpart, the provisions in paragraphs (g)(1) through (7) and (9) of this section apply in addition to the provisions in 40 CFR part 63, subpart SS. If you are complying with the emission limits and other requirements for batch process vents in Table 2 to this subpart, the provisions in paragraphs (g)(1) through (8) of this section apply in addition to the provisions in subpart SS.

(1) *Requirements for performance tests.*

(i) The requirements specified in § 63.2450(g)(1) through (4) apply instead

of, or in addition to, the requirements specified in 40 CFR part 63, subpart SS.

(ii) Upon request, you shall make available to the Administrator, such records as may be necessary to determine the conditions of performance tests.

(2) *Design evaluation.* To determine initial compliance with a percent reduction or outlet concentration emission limit, you may elect to conduct a design evaluation as specified in § 63.1257(a)(1) instead of a performance test as specified in subpart SS of this part 63. You must establish the value(s) and basis for the operating limits as part of the design evaluation. For continuous process vents, the design evaluation must be conducted at maximum representative operating conditions for the process, unless the Administrator specifies or approves alternate operating conditions. For batch process vents, the design evaluation must be conducted under worst-case conditions, as specified in § 63.2460(c)(2).

(3) *Outlet concentration correction for combustion devices.* When § 63.997(e)(2)(iii)(C) requires you to correct the measured concentration at the outlet of a combustion device to 3 percent oxygen if you add supplemental combustion air, the requirements in either paragraph (g)(3)(i) or (g)(3)(ii) of this section apply for the purposes of this subpart.

(i) You must correct the concentration in the gas stream at the outlet of the combustion device to 3 percent oxygen if you add supplemental gases, as defined in § 63.2550, to the vent stream, or;

(ii) You must correct the measured concentration for supplemental gases using Equation 1 of § 63.2460; you may use process knowledge and representative operating data to determine the fraction of the total flow due to supplemental gas.

(4) *Continuous parameter monitoring.* The provisions in § 63.2450(k)(1) through (6) apply in addition to the requirements for continuous parameter monitoring systems (CPMS) in subpart SS of this part 63, except as specified in paragraphs (g)(4)(i) and (ii) of this section.

(i) You may measure pH or caustic strength of the scrubber effluent at

least once per day for any halogen scrubber within a CMPU subject to this rule.

(ii) The requirements in § 63.2450(k)(6) to request approval of a procedure to monitor operating parameters does not apply for the purposes of this subpart. You must provide the required information in your NOCS report required by § 63.11501(b).

(5) *Startup, shutdown, malfunction (SSM).* Sections 63.996(c)(2)(ii) and 63.998(b)(2)(iii), (b)(6)(i)(A), (c)(1)(ii)(E) and (d)(3) do not apply for the purposes of this subpart.

(6) *Excused excursions.* Excused excursions, as defined in subpart SS of this part 63, are not allowed.

(7) *Energetics and organic peroxides.* If an emission stream contains energetics or organic peroxides that, for safety reasons, cannot meet an applicable emission limit specified in this subpart, then you must submit an application to the Administrator explaining why an undue safety hazard would be created if the air emission controls were installed, and you must describe the procedures that you will implement to minimize HAP emissions from these vent streams in lieu of the emission limitations in this section.

(8) *Additional requirements for batch process vents.* The provisions specified in § 63.2460(c) apply in addition to the provisions in subpart SS of this part 63, except as specified in paragraphs (g)(8)(i) through (iii) of this section.

(i) References to emission limits in Table 2 to subpart FFFF mean the emission limits in Table 2 to this subpart.

(ii) References to MCPU mean CMPU for purposes of this subpart.

(iii) Section 63.2460(c)(8) does not apply for the purposes of this subpart.

(9) *Parameter monitoring averaging periods.* Daily averages required in § 63.998(b)(3) apply at all times except during startup and shutdown. Separate averages shall be determined for each period of startup and period of shutdown.

(h) *Surge control vessels and bottoms receivers.* For each surge control vessel and bottoms receiver that meets the applicability criteria for storage tanks specified in Table 5 to this subpart, you

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must meet the emission limits and control requirements specified in Table 5 to this subpart.

(i) *Startup, shutdown, and malfunction (SSM)*. References to SSM provisions in subparts that are referenced in paragraphs (a) through (h) of this section or Tables 2 through 5 to this subpart do not apply.

[74 FR 56041, Oct. 29, 2009, as amended at 77 FR 75757, Dec. 21, 2012]

§ 63.11497 What are the standards and compliance requirements for storage tanks?

(a) You must comply with the emission limits and other requirements in Table 5 to this subpart and in paragraph (b) of this section for organic HAP emissions from each of your storage tanks that meet the applicability criteria in Table 5 to this subpart.

(b) *Planned routine maintenance for a control device*. Operate in accordance with paragraphs (b)(1) through (3) of this section for periods of planned routine maintenance of a control device for storage tanks.

(1) Add no material to the storage tank during periods of planned routine maintenance.

(2) Limit periods of planned routine maintenance for each control device (or series of control devices) to no more than 240 hours per year (hr/yr), or submit an application to the Administrator requesting an extension of this time limit to a total of 360 hr/yr. The application must explain why the extension is needed and it must be submitted at least 60 days before the 240-hour limit will be exceeded.

(3) Keep records of the day and time at which planned routine maintenance periods begin and end, and keep a record of the type of maintenance performed.

(c) References to SSM provisions in subparts that are referenced in paragraphs (a) or (b) of this section or Table 5 to this subpart do not apply.

(d) *Combustion of halogenated streams*. If you use a combustion device to comply with the emission limits for organic HAP from a halogenated vent stream from a storage tank, you must reduce emissions in accordance with

§ 63.11496(d) and the requirements referenced therein.

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§ 63.11498 What are the standards and compliance requirements for wastewater systems?

(a) You must comply with the requirements in paragraph (a)(1) and (2) of this section and in Table 6, Item 1 to this subpart for all wastewater streams from a CMPU subject to this subpart. If the partially soluble HAP concentration in a wastewater stream is equal to or greater than 10,000 parts per million by weight (ppmw) and the wastewater stream contains a separate organic phase, then you must also comply with Table 6, Item 2 to this subpart for that wastewater stream. Partially soluble HAP are listed in Table 7 to this subpart.

(1) Except as specified in paragraph (a)(2) of this section, you must determine the total concentration of partially soluble HAP in each wastewater stream using process knowledge, engineering assessment, or test data. Also, you must reevaluate the concentration of partially soluble HAP if you make any process or operational change that affects the concentration of partially soluble HAP in a wastewater stream.

(2) You are not required to determine the partially soluble concentration in wastewater that is hard piped to a combustion unit or hazardous waste treatment unit, as specified in Table 6, Item 2.b to this subpart.

(3) Separated organic material that is recycled to a process is no longer wastewater and no longer subject to the wastewater requirements after it has been recycled.

(b) The requirements in Item 2 of Table 6 to this subpart do not apply during periods of startup or shutdown. References to SSM provisions in subparts that are referenced in paragraph (a) of this section or Table 6 to this subpart do not apply.

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