

## Environmental Protection Agency

## § 63.985

(i) A first attempt at repair shall be made no later than 5 days after the leak is detected.

(ii) Except as provided in paragraph (d)(3) of this section, repairs shall be completed no later than 15 days after the leak is detected or at the beginning of the next introduction of vapors to the system, whichever is later.

(3) Delay of repair of a closed vent system for which leaks have been detected is allowed if repair within 15 days after a leak is detected is technically infeasible or unsafe without a closed vent system shutdown, as defined in § 63.981, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the emissions likely to result from delay of repair. Repair of such equipment shall be completed as soon as practical, but not later than the end of the next closed vent system shutdown.

[64 FR 34866, June 29, 1999, as amended at 64 FR 63705, Nov. 22, 1999; 67 FR 46277, July 12, 2002]

### **§ 63.984 Fuel gas systems and processes to which storage vessel, transfer rack, or equipment leak regulated material emissions are routed.**

(a) *Equipment and operating requirements for fuel gas systems and processes.*

(1) Except during periods of start-up, shutdown and malfunction as specified in the referencing subpart, the fuel gas system or process shall be operating at all times when regulated material emissions are routed to it.

(2) The owner or operator of a transfer rack subject to the provisions of this subpart shall ensure that no pressure relief device in the transfer rack's system returning vapors to a fuel gas system or process shall open to the atmosphere during loading. Pressure relief devices needed for safety purposes are not subject to this paragraph.

(b) *Fuel gas system and process compliance assessment.* (1) If emissions are routed to a fuel gas system, there is no requirement to conduct a performance test or design evaluation.

(2) If emissions are routed to a process, the regulated material in the emissions shall meet one or more of the conditions specified in paragraphs (b)(2)(i) through (iv) of this section.

The owner or operator of storage vessels subject to this paragraph shall comply with the compliance demonstration requirements in paragraph (b)(3) of this section.

(i) Recycled and/or consumed in the same manner as a material that fulfills the same function in that process;

(ii) Transformed by chemical reaction into materials that are not regulated materials;

(iii) Incorporated into a product; and/or

(iv) Recovered.

(3) To demonstrate compliance with paragraph (b)(2) of this section for a storage vessel, the owner or operator shall prepare a design evaluation (or engineering assessment) that demonstrates the extent to which one or more of the conditions specified in paragraphs (b)(2)(i) through (iv) of this section are being met.

(c) *Statement of connection.* For storage vessels and transfer racks, the owner or operator shall submit the statement of connection reports for fuel gas systems specified in § 63.999(b)(1)(ii), as appropriate.

### **§ 63.985 Nonflare control devices used to control emissions from storage vessels and low throughput transfer racks.**

(a) *Nonflare control device equipment and operating requirements.* The owner or operator shall operate and maintain the nonflare control device so that the monitored parameters defined as required in paragraph (c) of this section remain within the ranges specified in the Notification of Compliance Status whenever emissions of regulated material are routed to the control device except during periods of start-up, shutdown, and malfunction as specified in the referencing subpart.

(b) *Nonflare control device design evaluation or performance test requirements.* When using a control device other than a flare, the owner or operator shall comply with the requirements in paragraphs (b)(1)(i) or (ii) of this section, except as provided in paragraphs (b)(2) and (3) of this section.

(1) *Design evaluation or performance test results.* The owner or operator shall prepare and submit with the Notification of Compliance Status, as specified