



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
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Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

## NOTICE OF 30-DAY PERIOD FOR PUBLIC COMMENT

Preliminary Findings Regarding a New Source Review and  
Part 70 Operating Permit

for Geocel Corporation in Elkhart County

Permit No. 039-25572-00605

The Indiana Department of Environmental Management (IDEM) has received an application from Geocel Corporation located at 53280 Marina Drive, Elkhart, Indiana 46514 for a new source review and Part 70 Operating Permit. If approved by IDEM's Office of Air Quality (OAQ), this proposed permit would allow Geocel Corporation to continue to operate a sealant, caulk, and adhesive manufacturing plant.

The applicant intends to operate equipment that will emit air pollutants, therefore the permit contains new conditions. In addition, some conditions from previously issued approvals have been corrected, changed or removed. The potential to emit criteria pollutants and hazardous air pollutants will continue to be limited to less than the TV and PSD major threshold levels, respectively. IDEM has reviewed this application, and has developed preliminary findings, consisting of a draft permit and several supporting documents, that would allow the applicant to continue to operate this source.

IDEM is aware that the sealant, caulk, and adhesive manufacturing operations have been constructed and operated prior to receipt of the proper permit. IDEM is reviewing this matter and will take appropriate action. This draft Part 70 permit contains provisions to bring unpermitted equipment into compliance with construction and operation permit rules.

A copy of the permit application and IDEM's preliminary findings are available at:

Elkhart Public Library  
300 South Second Street  
Elkhart, Indiana 46516

and

Northern Regional Office  
220 W. Colfax Avenue., Ste 200  
South Bend, Indiana 46601-1634

A copy of the preliminary findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.

### How can you participate in this process?

The date that this notice is published in a newspaper marks the beginning of a 30-day public comment period. If the 30<sup>th</sup> day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If a public hearing or meeting is held, IDEM will make a separate announcement of the date, time, and location of that hearing or meeting. At a hearing, you would have an

opportunity to submit written comments and make verbal comments. At a meeting, you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

Comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. If you comment via e-mail, please include your full U.S. mailing address so that you can be added IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number T039-25572-00605 in all correspondence.

**Contact IDEM at:**

IDEM, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
(800) 451-6027

Pursuant to Contract No. A305-5-65, IDEM, OAQ has assigned the processing of this permit application to Eastern Research Group, Inc., (ERG). Therefore, questions should be directed to Ms. Stacie Enoch of ERG.

**To contact the Permit Reviewer:**

Stacie Enoch  
ERG  
1600 Perimeter Park Drive  
Morrisville, North Carolina 27560  
Dial directly: 919-468-7895  
E-mail: [stacie.enoch@erg.com](mailto:stacie.enoch@erg.com)

All comments will be considered by IDEM when we make a decision to issue or deny the permit. Comments that are most likely to affect final permit decisions are those based on the rules and laws governing this permitting process (326 IAC 2), air quality issues, and technical issues. IDEM does not have legal authority to regulate zoning, odor or noise. For such issues, please contact your local officials.

For additional information about air permits and how you can participate, please see IDEM's **Guide for Citizen Participation** and **Permit Guide** on the Internet at: [www.idem.in.gov](http://www.idem.in.gov).

**What will happen after IDEM makes a decision?**

Following the end of the public comment period, IDEM will issue a Notice of Decision stating whether the permit has been issued or denied. If the permit is issued, it may be different than the draft permit because of comments that were received during the public comment period. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM's response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive a Notice of the Decision. The notice will provide details on how you may appeal IDEM's decision, if you disagree with that decision. The final decision will also be available on the Internet at the address indicated above, at the local library indicated above, the IDEM public file room on the 12<sup>th</sup> floor of the Indiana Government Center North, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2251, and the Northern Regional Office, 220 W. Colfax Avenue., Ste 200, South Bend, Indiana 46601-1634.

If you have any questions please contact Stacie Enoch at the above address.

Iryn Calilung, Section Chief  
Permits Branch  
Office of Air Quality



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DRAFT

**New Source Review and Part 70 Operating Permit  
OFFICE OF AIR QUALITY**

**Geocel Corporation  
53280 Marina Drive  
Elkhart, Indiana 46514**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

**The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.**

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T039-25572-00605	
Issued by:	Issuance Date:
Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Expiration Date:

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## SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

### A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(15)][326 IAC 2-7-1(22)]

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The Permittee owns and operates a stationary sealant, caulk, and adhesive manufacturing source.

Source Address:	53280 Marina Drive, Elkhart, Indiana 46514
Mailing Address:	53280 Marina Drive, Elkhart, Indiana 46514
General Source Phone Number:	574-264-0645
SIC Code:	2894
County Location:	Elkhart
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD and Emission Offset Rules Major Source, Section 112 of the Clean Air Act Not in 1 of 28 Source Categories

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(15)]

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This stationary source consists of the following emission units and pollution control devices:

- (a) Pigmenting operations as follows:
- (1) One (1) open-top mixing tank, constructed after 1975 and before 1982, used for the solvent-based pigmenting process, with emissions exhausting to the atmosphere, a total maximum throughput of 1,635 pounds of material per batch, and a processing time of two batches per hour.
  - (2) One (1) open-top mixing tank, constructed after 1975 and before 1982, used for the water-based pigmenting process, with emissions exhausting to the atmosphere, a total maximum throughput of 2,000 pounds of material per batch, and a processing time of three batches per day.
- (b) Six (6) solvent mixing tanks equipped with tight fitting lids, equipped with six (6) condensers to capture solvent, using closed loop piping to return the solvent to the mixing tanks for reuse. All six (6) solvent mixing tanks exhaust to a condenser (C1 through C5 and C7). Condensers C1 through C5 and condenser C7 exhaust to one (1) final condenser, C8. The condensers are considered an integral part of the process.
- (1) One (1) solvent mixing tank identified as E1, installed in 1978, with a capacity of 1,000 gallons, equipped with a condenser C1.
  - (2) One (1) solvent mixing tank identified as E2, installed on 3/1/2003, with a capacity of 1,900 gallons, equipped with a condenser C2.
  - (3) One (1) solvent mixing tank identified as E3, installed on 4/1/2005, with a capacity of 570 gallons, equipped with a condenser C3.

- (4) One (1) solvent mixing tank identified as E4, installed in 1990, with a capacity of 400 gallons, equipped with a condenser C4.
- (5) One (1) solvent mixing tank identified as E5, installed in 1982, with a capacity of 400 gallons, equipped with a condenser C5.
- (6) One (1) solvent mixing tank identified as E7, installed in 2003, with a capacity of 1,900 gallons, equipped with a condenser C7.

These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.

A.3 Specifically Regulated Insignificant Activities  
[326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(15)]

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This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Blended product holding tanks as follows: storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons. These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.
- (b) One (1) solvent packaging area and one (1) final product packaging and shipping area where finished product (sealants, caulks, and solvents) are mechanically inserted into small cartridges, tubes, cans, or pails. These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.
- (c) One (1) maintenance parts washer, constructed around 1994, with a maximum throughput of twenty-five (25) gallons of solvent per month, and uses solvents that contain less than 5% by weight halogenated HAPs. [326 IAC 8-3]
- (d) One (1) perchloroethylene storage tank identified as Perchloroethylene-1, constructed after 1975 and before 1982, with a maximum storage capacity of 5,000 gallons (668.4 cubic feet), and an annual throughput rate of 112,274 gallons of perchloroethylene per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (e) One (1) plasticizer storage tank identified as Plasticizer-1, constructed after 1975 and before 1982, with a maximum storage capacity of 5,000 gallons (668.4 cubic feet), and an annual throughput rate of 112,274 gallons of plasticizer raw material per year. This emission unit is considered an affected source under 40 CFR 60, Subpart EEEE.
- (f) One (1) aromatic fluid storage tank identified as Aromatic 100-1, constructed after 1975 and before 1982, with a maximum storage capacity of 4,000 gallons (534.72 cubic feet), and an annual throughput rate of 89,800 gallons of Aromatic 100 fluid per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (g) One (1) aromatic fluid storage tank identified as Aromatic 100-2, constructed after 1975 and before 1982, with a maximum storage capacity of 4,000 gallons (534.72 cubic feet), and an annual throughput rate of 89,800 gallons of Aromatic 100 fluid per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (h) One (1) latex compounder identified as E6, with a maximum capacity of 1,215 pounds per batch, processing a maximum of two (2) batches per day, constructed in 2007, with emissions controlled by condenser C6. This emission unit is considered an affected

source under 40 CFR 63, Subpart EEEE.

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

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This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

## SECTION B GENERAL CONDITIONS

### B.1 Definitions [326 IAC 2-7-1]

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

### B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

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- (a) This permit, T039-25572-00605, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

### B.3 Term of Conditions [326 IAC 2-1.1-9.5]

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Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

### B.4 Enforceability [326 IAC 2-7-7]

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Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

### B.5 Severability [326 IAC 2-7-5(5)]

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The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

### B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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This permit does not convey any property rights of any sort or any exclusive privilege.

### B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

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- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by the "responsible official" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than April 15 of each year to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
  - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)][326 IAC 2-7-6(1) and (6)][326 IAC 1-6-3]**

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- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
  - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
  - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

**B.11 Emergency Provisions [326 IAC 2-7-16]**

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- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and Northern Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or  
Telephone Number: 317-233-0178 (ask for Compliance Section)  
Facsimile Number: 317-233-6865  
Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
  - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
  - (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.

- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.12 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
  - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

- (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

**B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]**

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- (a) All terms and conditions of permits established prior to T039-25572-00605 and issued pursuant to permitting programs approved into the state implementation plan have been either:
  - (1) incorporated as originally stated,
  - (2) revised under 326 IAC 2-7-10.5, or
  - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

**B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]**

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The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

**B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]**

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- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination  
[326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
  - (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
  - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

**B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]**

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- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

**B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]**

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- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

**B.20 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]**

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- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b),(c), or (e) without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

- (4) The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b),(c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

**B.21 Source Modification Requirement [326 IAC 2-7-10.5]**

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A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

**B.22 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]**

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Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

**B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]**

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- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

**B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]**

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- (a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

**B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]**

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For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

**SECTION C SOURCE OPERATION CONDITIONS**

Entire Source

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

**C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]**

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

**C.2 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]**

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

**C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]**

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2.

**C.5 Fugitive Dust Emissions [326 IAC 6-4]**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

**C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
- (2) If there is a change in the following:
  - (A) Asbestos removal or demolition start date;
  - (B) Removal or demolition contractor; or
  - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management  
Asbestos Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-52 IGCN 1003  
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

### **Testing Requirements [326 IAC 2-7-6(1)]**

#### **C.7 Performance Testing [326 IAC 3-6]**

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- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

#### **Compliance Requirements [326 IAC 2-1.1-11]**

##### **C.8 Compliance Requirements [326 IAC 2-1.1-11]**

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The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

#### **Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)]**

##### **C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]**

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Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

**C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

---

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60, Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

**C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

**Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]**

**C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]**

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If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

**C.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]**

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- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
  - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
  - (1) monitoring results;
  - (2) review of operation and maintenance procedures and records; and/or
  - (3) inspection of the control device, associated capture system, and the process.

- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
  - (1) monitoring data;
  - (2) monitor performance data, if applicable; and
  - (3) corrective actions taken.

**C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]**

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2004 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
  - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
  - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-50 IGCN 1003  
Indianapolis, Indiana 46204-2251

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

## Stratospheric Ozone Protection

### C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

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Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

## SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) Pigmenting operations as follows:
- (1) One (1) open-top mixing tank, constructed after 1975 and before 1982, used for the solvent-based pigmenting process, with emissions exhausting to the atmosphere, a total maximum throughput of 1,635 pounds of material per batch, and a processing time of two batches per hour.
  - (2) One (1) open-top mixing tank, constructed after 1975 and before 1982, used for the water-based pigmenting process, with emissions exhausting to the atmosphere, a total maximum throughput of 2,000 pounds of material per batch, and a processing time of three batches per day.
- (b) Six (6) solvent mixing tanks equipped with tight fitting lids, equipped with six (6) condensers to capture solvent, using closed loop piping to return the solvent to the mixing tanks for reuse. All six (6) solvent mixing tanks exhaust to a condenser (C1 through C5 and C7). Condensers C1 through C5 and condenser C7 exhaust to one (1) final condenser, C8. The condensers are considered an integral part of the process.
- (1) One (1) solvent mixing tank identified as E1, installed in 1978, with a capacity of 1,000 gallons, equipped with a condenser C1.
  - (2) One (1) solvent mixing tank identified as E2, installed on 3/1/2003, with a capacity of 1,900 gallons, equipped with a condenser C2.
  - (3) One (1) solvent mixing tank identified as E3, installed on 4/1/2005, with a capacity of 570 gallons, equipped with a condenser C3.
  - (4) One (1) solvent mixing tank identified as E4, installed in 1990, with a capacity of 400 gallons, equipped with a condenser C4.
  - (5) One (1) solvent mixing tank identified as E5, installed in 1982, with a capacity of 400 gallons, equipped with a condenser C5.
  - (6) One (1) solvent mixing tank identified as E7, installed in 2003, with a capacity of 1,900 gallons, equipped with a condenser C7.

These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.

### Specifically Regulated Insignificant Activities:

- (a) Blended product holding tanks as follows: storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons. These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.
- (b) One (1) solvent packaging area and one (1) final product packaging and shipping area where finished product (sealants, caulks, and solvents) are mechanically inserted into small cartridges, tubes, cans, or pails. These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.
- (c) One (1) maintenance parts washer, constructed around 1994, with a maximum throughput of

twenty-five (25) gallons of solvent per month, and uses solvents that contain less than 5% by weight halogenated HAPs. [326 IAC 8-3]

- (d) One (1) perchloroethylene storage tank identified as Perchloroethylene-1, constructed after 1975 and before 1982, with a maximum storage capacity of 5,000 gallons (668.4 cubic feet), and an annual throughput rate of 112,274 gallons of perchloroethylene per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (e) One (1) plasticizer storage tank identified as Plasticizer-1, constructed after 1975 and before 1982, with a maximum storage capacity of 5,000 gallons (668.4 cubic feet), and an annual throughput rate of 112,274 gallons of plasticizer raw material per year. This emission unit is considered an affected source under 40 CFR 60, Subpart EEEE.
- (f) One (1) aromatic fluid storage tank identified as Aromatic 100-1, constructed after 1975 and before 1982, with a maximum storage capacity of 4,000 gallons (534.72 cubic feet), and an annual throughput rate of 89,800 gallons of Aromatic 100 fluid per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (g) One (1) aromatic fluid storage tank identified as Aromatic 100-2, constructed after 1975 and before 1982, with a maximum storage capacity of 4,000 gallons (534.72 cubic feet), and an annual throughput rate of 89,800 gallons of Aromatic 100 fluid per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (h) One (1) latex compounder identified as E6, with a maximum capacity of 1,215 pounds per batch, processing a maximum of two (2) batches per day, constructed in 2007, with emissions controlled by condenser C6. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.

(The information describing the process contained in this emissions unit description box is descriptive information and does not constitute enforceable conditions.)

### **Emission Limitations and Standards [326 IAC 2-7-5(1)]**

#### **D.1.1 Volatile Organic Compounds (VOC) [326 IAC 8-3-2]**

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), for cold cleaning operations constructed after January 1, 1980, the Permittee shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

### **Compliance Determination Requirements**

#### **D.1.2 VOC Control**

The integral condensers (C1 through C5 and C7) shall be in operation and control emissions from the solvent mixing operation at all times that these facilities are in operation.

**Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

**D.1.3 Parametric Monitoring for the Condensers**

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- (a) The Permittee shall monitor and record the flow rate to the condensers (C1 through C5 and C7) at least once per day when the solvent mixing tanks are in operation.
- (b) The Permittee shall determine the minimum acceptable flow rate according to the manufacturer's specifications.
- (c) The Permittee shall operate the condensers (C1 through C5 and C7) at or above minimum flow rate determined in paragraph (b) above.

**Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**D.1.4 Record Keeping Requirement**

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To document compliance with Condition D.1.3, the Permittee shall maintain daily flow rate records for the condensers (C1 through C5 and C7). The Permittee shall include in its daily record when a flow rate reading is not taken and the reason for the lack of a flow rate reading (e.g. the process did not operate that day).

**National Emissions Standards for Hazardous Air Pollutants (NESHAP) Requirements: Organic Liquids Distribution (Non-Gasoline) [326 IAC 20-83]**

**D.1.5 General Provisions Relating to National Emissions Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 CFR Part 63, Subpart A]**

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- (a) Pursuant to 40 CFR 63.340(b), the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1-1, for the affected source as specified in Table 12 of 40 CFR Part 63, Subpart EEEE in accordance with the schedule in 40 CFR 63, Subpart EEEE.
- (b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

**D.1.6 National Emissions Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline): Requirements [40 CFR Part 63, Subpart EEEE]**

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The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart EEEE (included as Attachment A) which are incorporated by reference as 326 IAC 20-83 for the affected source.

- (1) 40 CFR 63.2330
- (2) 40 CFR 63.2334
- (3) 40 CFR 63.2338
- (4) 40 CFR 63.2342
- (5) 40 CFR 63.2343
- (6) 40 CFR 63.2346
- (7) 40 CFR 63.2350
- (8) 40 CFR 63.2354

- (9) 40 CFR 63.2358
- (10) 40 CFR 63.2366
- (11) 40 CFR 63.2370
- (12) 40 CFR 63.2374
- (13) 40 CFR 63.2378
- (14) 40 CFR 63.2382
- (15) 40 CFR 63.2386
- (16) 40 CFR 63.2390
- (17) 40 CFR 63.2394
- (18) 40 CFR 63.2396
- (19) 40 CFR 63.2398
- (20) 40 CFR 63.2402
- (21) 40 CFR 63.2406
- (22) Tables 1 through 12

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Geocel Corporation  
Source Address: 53280 Marina Drive, Elkhart, Indiana 46514  
Mailing Address: 53280 Marina Drive, Elkhart, Indiana 46514  
Part 70 Permit No.: T039-25572-00605

**This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.**

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify)
- Report (specify)
- Notification (specify)
- Affidavit (specify)
- Other (specify)

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-0178  
Fax: 317-233-6865**

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Geocel Corporation  
Source Address: 53280 Marina Drive, Elkhart, Indiana 46514  
Mailing Address: 53280 Marina Drive, Elkhart, Indiana 46514  
Part 70 Permit No.: T039-25572-00605

**This form consists of 2 pages**

**Page 1 of 2**

- This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
  - The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency?    Y    N
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION  
 PART 70 OPERATING PERMIT  
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Geocel Corporation  
 Source Address: 53280 Marina Drive, Elkhart, Indiana 46514  
 Mailing Address: 53280 Marina Drive, Elkhart, Indiana 46514  
 Part 70 Permit No.: T039-25572-00605

**Months:** \_\_\_\_\_ **to** \_\_\_\_\_ **Year:** \_\_\_\_\_

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

**Attachment A, NESHAP  
40 CFR 63, Subpart EEEE  
National Emission Standards for Hazardous Air Pollutants  
for Organic Liquids Distribution (Non-Gasoline)**

**Geocel Corporation  
53280 Marina Drive,  
Elkhart, Indiana 46514**

**Permit No.: 039-25572-00605**

## **Subpart EEEE—National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)**

**Source:** 69 FR 5063, Feb. 3, 2004, unless otherwise noted.

### **What This Subpart Covers**

#### **§ 63.2330 What is the purpose of this subpart?**

This subpart establishes national emission limitations, operating limits, and work practice standards for organic hazardous air pollutants (HAP) emitted from organic liquids distribution (OLD) (non-gasoline) operations at major sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations, operating limits, and work practice standards.

#### **§ 63.2334 Am I subject to this subpart?**

(a) Except as provided for in paragraphs (b) and (c) of this section, you are subject to this subpart if you own or operate an OLD operation that is located at, or is part of, a major source of HAP emissions. An OLD operation may occupy an entire plant site or be collocated with other industrial ( e.g., manufacturing) operations at the same plant site.

(b) Organic liquid distribution operations located at research and development facilities, consistent with section 112(c)(7) of the Clean Air Act (CAA), are not subject to this subpart.

(c) Organic liquid distribution operations do not include the activities and equipment, including product loading racks, used to process, store, or transfer organic liquids at facilities listed in paragraph (c) (1) and (2) of this section.

(1) Oil and natural gas production field facilities, as the term “facility” is defined in §63.761 of subpart HH.

(2) Natural gas transmission and storage facilities, as the term “facility” is defined in §63.1271 of subpart HHH.

#### **§ 63.2338 What parts of my plant does this subpart cover?**

(a) This subpart applies to each new, reconstructed, or existing OLD operation affected source.

(b) Except as provided in paragraph (c) of this section, the affected source is the collection of activities and equipment used to distribute organic liquids into, out of, or within a facility that is a major source of HAP. The affected source is composed of:

(1) All storage tanks storing organic liquids.

(2) All transfer racks at which organic liquids are loaded into or unloaded out of transport vehicles and/or containers.

(3) All equipment leak components in organic liquids service that are associated with:

(i) Storage tanks storing organic liquids;

(ii) Transfer racks loading or unloading organic liquids;

(iii) Pipelines that transfer organic liquids directly between two storage tanks that are subject to this subpart;

(iv) Pipelines that transfer organic liquids directly between a storage tank subject to this subpart and a transfer rack subject to this subpart; and

(v) Pipelines that transfer organic liquids directly between two transfer racks that are subject to this subpart.

(4) All transport vehicles while they are loading or unloading organic liquids at transfer racks subject to this subpart.

(5) All containers while they are loading or unloading organic liquids at transfer racks subject to this subpart.

(c) The equipment listed in paragraphs (c)(1) through (4) of this section and used in the identified operations is excluded from the affected source.

(1) Storage tanks, transfer racks, transport vehicles, containers, and equipment leak components that are part of an affected source under another 40 CFR part 63 national emission standards for hazardous air pollutants (NESHAP).

(2) Non-permanent storage tanks, transfer racks, transport vehicles, containers, and equipment leak components when used in special situation distribution loading and unloading operations (such as maintenance or upset liquids management).

(3) Storage tanks, transfer racks, transport vehicles, containers, and equipment leak components when used to conduct maintenance activities, such as stormwater management, liquid removal from tanks for inspections and maintenance, or changeovers to a different liquid stored in a storage tank.

(d) An affected source is a new affected source if you commenced construction of the affected source after April 2, 2002, and you meet the applicability criteria in §63.2334 at the time you commenced operation.

(e) An affected source is reconstructed if you meet the criteria for reconstruction as defined in §63.2.

(f) An affected source is existing if it is not new or reconstructed.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42904, July 28, 2006]

### **§ 63.2342 When do I have to comply with this subpart?**

(a) If you have a new or reconstructed affected source, you must comply with this subpart according to the schedule identified in paragraph (a)(1), (a)(2), or (a)(3) of this section, as applicable.

(1)(i) Except as provided in paragraph (a)(1)(ii) of this section, if you startup your new affected source on or before February 3, 2004 or if you reconstruct your affected source on or before February 3, 2004, you must comply with the emission limitations, operating limits, and work practice standards for new and reconstructed sources in this subpart no later than February 3, 2004.

(ii) For any emission source listed in paragraph §63.2338(b) at an affected source that commenced construction or reconstruction after April 2, 2002, but before February 3, 2004, that is required to be controlled based on the applicability criteria in this subpart, but:

(A) Would not have been required to be controlled based on the applicability criteria as proposed for this subpart, you must comply with the emission limitations, operating limits, and work practice standards for each such emission source based on the schedule found in paragraph (b) of this section or at startup, whichever is later; or

(B) Would have been subject to a less stringent degree of control requirement as proposed for this subpart, you must comply with the emission limitations, operating limits, and work practice standards in this subpart for each such emission source based on the schedule found in paragraph (b) of this section or at startup, whichever is later, and if you start up your affected new or reconstructed source before February 5, 2007, you must comply with the emission limitations, operating limits, and work practice standards for each such emission source as proposed for this subpart, until you are required to comply with the emission limitations, operating limits, and work practice standards in this subpart for each such emission source based on the schedule found in paragraph (b) of this section.

(2) If you commence construction of or reconstruct your affected source after February 3, 2004, you must comply with the emission limitations, operating limits, and work practice standards for new and reconstructed sources in this subpart upon startup of your affected source.

(3) If, after startup of a new affected source, the total actual annual facility-level organic liquid loading volume at that source exceeds the criteria for control in Table 2 to this subpart, items 9 and 10, the owner or operator must comply with the transfer rack requirements specified in §63.2346(b) immediately; that is, be in compliance the first day of the period following the end of the 3-year period triggering the control criteria.

(b)(1) If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007, except as provided in paragraphs (b)(2) and (3) of this section.

(2) Floating roof storage tanks at existing affected sources must be in compliance with the work practice standards in Table 4 to this subpart, item 1, at all times after the next degassing and cleaning activity or within 10 years after February 3, 2004, whichever occurs first. If the first degassing and cleaning activity occurs during the 3 years following February 3, 2004, the compliance date is February 5, 2007.

(3)(i) If an addition or change other than reconstruction as defined in §63.2 is made to an existing affected facility that causes the total actual annual facility-level organic liquid loading volume to exceed the criteria for control in Table 2 to this subpart, items 7 and 8, the owner or operator must comply with the transfer rack requirements specified in §63.2346(b) immediately; that is, be in compliance the first day of the period following the end of the 3-year period triggering the control criteria.

(ii) If the owner or operator believes that compliance with the transfer rack emission limits cannot be achieved immediately, as specified in paragraph (b)(3)(i) of this section, the owner or operator may submit a request for a compliance extension, as specified in paragraphs (b)(3)(ii)(A) through (I) of this section. Subject to paragraph (b)(3)(ii)(B) of this section, until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph (b)(3)(ii), the owner or operator of the transfer rack subject to the requirements of this section shall comply with all applicable requirements of this subpart. Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).

(A) *Submittal.* The owner or operator shall submit a request for a compliance extension to the Administrator (or a State, when the State has an approved 40 CFR part 70 permit program and the source is required to obtain a 40 CFR part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) seeking an extension allowing the source up to 1 additional year to comply with the transfer rack standard, if such additional period is necessary for the installation of controls. The owner or operator of the affected source who has requested an extension of compliance under this paragraph (b)(3)(ii)(A) and who is otherwise required to obtain a title V permit shall apply for such permit, or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph (b)(3)(ii)(A) will be incorporated into the affected source's title V permit according to the provisions of 40 CFR part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.

(B) *When to submit.* ( 1 ) Any request submitted under paragraph (b)(3)(ii)(A) of this section must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraph (b)(3)(i) of this section), except as provided for in paragraph (b)(3)(ii)(B)( 2 ) of this section. Nonfrivolous requests submitted under this paragraph (b)(3)(ii)(B)( 1 ) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial.

( 2 ) An owner or operator may submit a compliance extension request after the date specified in paragraph (b)(3)(ii)(B)( 1 ) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (b)(3)(ii)(C) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph (b)(3)(ii)(B)( 2 ) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.

(C) *Information required.* The request for a compliance extension under paragraph (b)(3)(ii)(A) of this section shall include the following information:

( 1 ) The name and address of the owner or operator and the address of the existing source if it differs from the address of the owner or operator;

( 2 ) The name, address, and telephone number of a contact person for further information;

( 3 ) An identification of the organic liquid distribution operation and of the specific equipment for which additional compliance time is required;

( 4 ) A description of the controls to be installed to comply with the standard;

( 5 ) Justification for the length of time being requested; and

( 6 ) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

( i ) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated;

( ii ) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

( iii ) The date by which final compliance is to be achieved.

(D) *Approval of request for extension of compliance.* Based on the information provided in any request made under paragraph (b)(3)(ii)(C) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with the transfer rack emission standard, as specified in paragraph (b)(3)(ii) of this section. The extension will be in writing and will—

( 1 ) Identify each affected source covered by the extension;

( 2 ) Specify the termination date of the extension;

( 3 ) Specify the dates by which steps toward compliance are to be taken, if appropriate;

( 4 ) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests);

( 5 ) Specify the contents of the progress reports to be submitted and the dates by which such reports are to be submitted, if required pursuant to paragraph (b)(3)(ii)(E) of this section.

( 6 ) Under paragraph (b)(3)(ii) of this section, specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period.

(E) *Progress reports.* The owner or operator of an existing source that has been granted an extension of compliance under paragraph (b)(3)(ii)(D) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached.

(F) *Notification of approval or intention to deny.* ( 1 ) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (b)(3)(ii) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application; that is, whether the application contains sufficient information to make a

determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. Failure by the Administrator to act within 30 calendar days to approve or disapprove a request submitted under paragraph (b)(3)(ii) of this section does not constitute automatic approval of the request.

( 2 ) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

( 3 ) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with:

( i ) Notice of the information and findings on which the intended denial is based; and

( ii ) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

( 4 ) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(G) *Termination of extension of compliance.* The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (b)(3)(ii)(D)( 3 ) or paragraph (b)(3)(ii)(D)( 4 ) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:

( 1 ) Notice of the reason for termination; and

( 2 ) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.

( 3 ) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(H) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the CAA.

(I) *Limitation on use of compliance extension.* The owner or operator may request an extension of compliance under the provisions specified in paragraph (b)(3)(ii) of this section only once for each facility.

(c) If you have an area source that does not commence reconstruction but increases its emissions or its potential to emit such that it becomes a major source of HAP emissions and an existing affected source subject to this subpart, you must be in compliance by 3 years after the area source becomes a major source.

(d) You must meet the notification requirements in §§63.2343 and 63.2382(a), as applicable, according to the schedules in §63.2382(a) and (b)(1) through (3) and in subpart A of this part. Some of these notifications must be submitted before the compliance dates for the emission limitations, operating limits, and work practice standards in this subpart.

### **§ 63.2343 What are my requirements for emission sources not requiring control?**

This section establishes the notification, recordkeeping, and reporting requirements for emission sources identified in §63.2338 that do not require control under this subpart (i.e., under paragraphs (a) through (e) of §63.2346). Such emission sources are not subject to any other notification, recordkeeping, or reporting sections in this subpart, including §63.2350(c), except as indicated in paragraphs (a) through (d) of this section.

(a) For each storage tank subject to this subpart having a capacity of less than 18.9 cubic meters (5,000 gallons) and for each transfer rack subject to this subpart that only unloads organic liquids (i.e., no organic liquids are loaded at any of the transfer racks), you must keep documentation that verifies that each storage tank and transfer rack identified in paragraph (a) of this section is not required to be controlled. The documentation must be kept up-to-date (i.e., all such emission sources at a facility are identified in the documentation regardless of when the documentation was last compiled) and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location. The documentation may consist of identification of the tanks and transfer racks identified in paragraph (a) of this section on a plant site plan or process and instrumentation diagram (P&ID).

(b) For each storage tank subject to this subpart having a capacity of 18.9 cubic meters (5,000 gallons) or more that is not subject to control based on the criteria specified in Table 2 to this subpart, items 1 through 6, you must comply with the requirements specified in paragraphs (b)(1) through (3) of this section.

(1)(i) You must submit the information in §63.2386(c)(1), (2), (3), and (10)(i) in either the Notification of Compliance Status, according to the schedule specified in Table 12 to this subpart, or in your first Compliance report, according to the schedule specified in §63.2386(b), whichever occurs first.

(ii)(A) If you submit your first Compliance report before your Notification of Compliance Status, the Notification of Compliance Status must contain the information specified in §63.2386(d)(3) and (4) if any of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report. If none of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report, you do not need to report the information specified in §63.2386(c)(10)(i) when you submit your Notification of Compliance Status.

(B) If you submit your Notification of Compliance Status before your first Compliance report, your first Compliance report must contain the information specified in §63.2386(d)(3) and (4) if any of the changes specified in paragraph (d) of this section have occurred since the filing of the Notification of Compliance Status.

(iii) If you are already submitting a Notification of Compliance Status or a first Compliance report under §63.2386(c), you do not need to submit a separate Notification of Compliance Status or first Compliance report for each storage tank that meets the conditions identified in paragraph (b) of this section (i.e., a single Notification of Compliance Status or first Compliance report should be submitted).

(2)(i) You must submit a subsequent Compliance report according to the schedule in §63.2386(b) whenever any of the events in paragraph (d) of this section occur, as applicable.

(ii) Your subsequent Compliance reports must contain the information in §63.2386(c)(1), (2), (3) and, as applicable, in §63.2386(d)(3) and (4). If you are already submitting a subsequent Compliance report under §63.2386(d), you do not need to submit a separate subsequent Compliance report for each storage tank that meets the conditions identified in paragraph (b) of this section (i.e., a single subsequent Compliance report should be submitted).

(3) For each storage tank that meets the conditions identified in paragraph (b) of this section, you must keep documentation, including a record of the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid, that verifies the storage tank is not required to be controlled under this subpart. The documentation must be kept up-to-date and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location.

(c) For each transfer rack subject to this subpart that loads organic liquids but is not subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with the requirements specified in paragraphs (c)(1) through (3) of this section.

(1)(i) You must submit the information in §63.2386(c)(1), (2), (3), and (10)(i) in either the Notification of Compliance Status, according to the schedule specified in Table 12 to this subpart, or a first Compliance report, according to the schedule specified in §63.2386(b), whichever occurs first.

(ii)(A) If you submit your first Compliance report before your Notification of Compliance Status, the Notification of Compliance Status must contain the information specified in §63.2386(d)(3) and (4) if any of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report. If none of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report, you do not need to report the information specified in §63.2386(c)(10)(i) when you submit your Notification of Compliance Status.

(B) If you submit your Notification of Compliance Status before your first Compliance report, your first Compliance report must contain the information specified in §63.2386(d)(3) and (4) if any of the changes specified in paragraph (d) of this section have occurred since the filing of the Notification of Compliance Status.

(iii) If you are already submitting a Notification of Compliance Status or a first Compliance report under §63.2386(c), you do not need to submit a separate Notification of Compliance Status or first Compliance report for each transfer rack that meets the conditions identified in paragraph (b) of this section (i.e., a single Notification of Compliance Status or first Compliance report should be submitted).

(2)(i) You must submit a subsequent Compliance report according to the schedule in §63.2386(b) whenever any of the events in paragraph (d) of this section occur, as applicable.

(ii) Your subsequent Compliance reports must contain the information in §63.2386(c)(1), (2), (3) and, as applicable, in §63.2386(d)(3) and (4). If you are already submitting a subsequent Compliance report under §63.2386(d), you do not need to submit a separate subsequent Compliance report for each transfer rack that meets the conditions identified in paragraph (c) of this section (i.e., a single subsequent Compliance report should be submitted).

(3) For each transfer rack that meets the conditions identified in paragraph (c) of this section, you must keep documentation, including the records specified in §63.2390(d), that verifies the transfer rack is not required to be controlled under this subpart. The documentation must be kept up-to-date and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location.

(d) If one or more of the events identified in paragraphs (d)(1) through (4) of this section occur since the filing of the Notification of Compliance Status or the last Compliance report, you must submit a subsequent Compliance report as specified in paragraphs (b)(3) and (c)(3) of this section.

(1) Any storage tank or transfer rack became subject to control under this subpart EEEE; or

(2) Any storage tank equal to or greater than 18.9 cubic meters (5,000 gallons) became part of the affected source but is not subject to any of the emission limitations, operating limits, or work practice standards of this subpart; or

(3) Any transfer rack (except those racks at which only unloading of organic liquids occurs) became part of the affected source; or

(4) Any of the information required in §63.2386(c)(1), §63.2386(c)(2), or §63.2386(c)(3) has changed.

[71 FR 42906, July 28, 2006]

## **Emission Limitations, Operating Limits, and Work Practice Standards**

### **§ 63.2346 What emission limitations, operating limits, and work practice standards must I meet?**

(a) *Storage tanks.* For each storage tank storing organic liquids that meets the tank capacity and liquid vapor pressure criteria for control in Table 2 to this subpart, items 1 through 5, you must comply with paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section. For each storage tank storing organic liquids that meets the tank capacity and liquid vapor pressure criteria for control in Table 2 to this subpart, item 6, you must comply with paragraph (a)(1), (a)(2), or (a)(4) of this section.

(1) Meet the emission limits specified in Table 2 to this subpart and comply with the applicable requirements specified in 40 CFR part 63, subpart SS, for meeting emission limits, except substitute the term "storage tank" at each occurrence of the term "storage vessel" in subpart SS.

(2) Route emissions to fuel gas systems or back into a process as specified in 40 CFR part 63, subpart SS.

(3) Comply with 40 CFR part 63, subpart WW (control level 2).

(4) Use a vapor balancing system that complies with the requirements specified in paragraphs (a)(4)(i) through (vii) of this section and with the recordkeeping requirements specified in §63.2390(e).

(i) The vapor balancing system must be designed and operated to route organic HAP vapors displaced from loading of the storage tank to the transport vehicle from which the storage tank is filled.

(ii) Transport vehicles must have a current certification in accordance with the United States Department of Transportation (U.S. DOT) pressure test requirements of 49 CFR part 180 for cargo tanks and 49 CFR 173.31 for tank cars.

(iii) Organic liquids must only be unloaded from cargo tanks or tank cars when vapor collection systems are connected to the storage tank's vapor collection system.

(iv) No pressure relief device on the storage tank, or on the cargo tank or tank car, shall open during loading or as a result of diurnal temperature changes (breathing losses).

(v) Pressure relief devices must be set to no less than 2.5 pounds per square inch gauge (psig) at all times to prevent breathing losses. Pressure relief devices may be set at values less than 2.5 psig if the owner or operator provides rationale in the notification of compliance status report explaining why the alternative value is sufficient to prevent breathing losses at all times. The owner or operator shall comply with paragraphs (a)(4)(iv)(A) through (C) of this section for each pressure relief valve.

(A) The pressure relief valve shall be monitored quarterly using the method described in §63.180(b).

(B) An instrument reading of 500 parts per million by volume (ppmv) or greater defines a leak.

(C) When a leak is detected, it shall be repaired as soon as practicable, but no later than 5 days after it is detected, and the owner or operator shall comply with the recordkeeping requirements of §63.181(d)(1) through (4).

(vi) Cargo tanks and tank cars that deliver organic liquids to a storage tank must be reloaded or cleaned at a facility that utilizes the control techniques specified in paragraph (a)(4)(vi)(A) or (a)(4)(vi)(B) of this section.

(A) The cargo tank or tank car must be connected to a closed-vent system with a control device that reduces inlet emissions of total organic HAP by 95 percent by weight or greater or to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air.

(B) A vapor balancing system designed and operated to collect organic HAP vapor displaced from the cargo tank or tank car during reloading must be used to route the collected vapor to the storage tank from which the liquid being transferred originated or to another storage tank connected to a common header.

(vii) The owner or operator of the facility where the cargo tank or tank car is reloaded or cleaned must comply with paragraphs (a)(4)(vii)(A) through (D) of this section.

(A) Submit to the owner or operator of the storage tank and to the Administrator a written certification that the reloading or cleaning facility will meet the requirements of paragraph (a)(4)(vii)(A) through (C) of this section. The certifying entity may revoke the written certification by sending a written statement to the owner or operator of the storage tank giving at least 90 days notice that the certifying entity is rescinding acceptance of responsibility for compliance with the requirements of this paragraph (a)(4)(vii) of this section.

(B) If complying with paragraph (a)(4)(vi)(A) of this section, comply with the requirements for a closed vent system and control device as specified in this subpart EEEE. The notification requirements in §63.2382 and the reporting requirements in §63.2386 do not apply to the owner or operator of the offsite cleaning or reloading facility.

(C) If complying with paragraph (a)(4)(vi)(B) of this section, keep the records specified in §63.2390(e)(3) or equivalent recordkeeping approved by the Administrator.

(D) After the compliance dates specified in §63.2342, at an offsite reloading or cleaning facility subject to §63.2346(a)(4), compliance with the monitoring, recordkeeping, and reporting provisions of any other subpart of this part 63 that has monitoring, recordkeeping, and reporting provisions constitutes compliance with the monitoring, recordkeeping and reporting provisions of §63.2346(a)(4)(vii)(B) or §63.2346(a)(4)(vii)(C). You must identify in your notification of compliance status report required by §63.2382(d) the subpart of this part 63 with which the owner or operator of the offsite reloading or cleaning facility complies.

(b) *Transfer racks.* For each transfer rack that is part of the collection of transfer racks that meets the total actual annual facility-level organic liquid loading volume criterion for control in Table 2 to this subpart, items 7 through 10, you must comply with paragraph (b)(1), (b)(2), or (b)(3) of this section for each arm in the transfer rack loading an organic liquid whose organic HAP content meets the organic HAP criterion for control in Table 2 to this subpart, items 7 through 10. For existing affected sources, you must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) of this section during the loading of organic liquids into transport vehicles. For new affected sources, you must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) and (ii) of this section during the loading of organic liquids into transport vehicles and containers. If the total actual annual facility-level organic liquid loading volume at any affected source is equal to or greater than the loading volume criteria for control in Table 2 to this subpart, but at a later date is less than the loading volume criteria for control, compliance with paragraph (b)(1), (b)(2), or (b)(3) of this section is no longer required. For new sources and reconstructed sources, as defined in §63.2338(d) and (e), if at a later date, the total actual annual facility-level organic liquid loading volume again becomes equal to or greater than the loading volume criteria for control in Table 2 to this subpart, the owner or operator must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) and (ii) of this section immediately, as specified in §63.2342(a)(3). For existing sources, as defined in §63.2338(f), if at a later date, the total actual annual facility-level organic liquid loading volume again becomes equal to or greater than the loading volume criteria for control in Table 2 to this subpart, the owner or operator must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) of this section immediately, as specified in §63.2342(b)(3)(i), unless an alternative compliance schedule has been approved under §63.2342(b)(3)(ii) and subject to the use limitation specified in §63.2342(b)(3)(ii)(I).

(1) Meet the emission limits specified in Table 2 to this subpart and comply with the applicable requirements for transfer racks specified in 40 CFR part 63, subpart SS, for meeting emission limits.

(2) Route emissions to fuel gas systems or back into a process as specified in 40 CFR part 63, subpart SS.

(3)(i) Use a vapor balancing system that routes organic HAP vapors displaced from the loading of organic liquids into transport vehicles to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.

(ii) Use a vapor balancing system that routes the organic HAP vapors displaced from the loading of organic liquids into containers directly (e.g., no intervening tank or containment area such as a room) to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.

(c) *Equipment leak components.* For each pump, valve, and sampling connection that operates in organic liquids service for at least 300 hours per year, you must comply with the applicable requirements under 40 CFR part 63, subpart TT (control level 1), subpart UU (control level 2), or subpart H. Pumps, valves, and sampling connectors that are insulated to provide protection against persistent sub-freezing temperatures are subject to the "difficult to monitor" provisions in the applicable subpart selected by the owner or operator. This paragraph only applies if the affected

source has at least one storage tank or transfer rack that meets the applicability criteria for control in Table 2 to this subpart.

(d) *Transport vehicles.* For each transport vehicle equipped with vapor collection equipment that is loaded at a transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with paragraph (d)(1) of this section. For each transport vehicle without vapor collection equipment that is loaded at a transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with paragraph (d)(2) of this section.

(1) Follow the steps in 40 CFR 60.502(e) to ensure that organic liquids are loaded only into vapor-tight transport vehicles and comply with the provisions in 40 CFR 60.502(f) through (i), except substitute the term "transport vehicle" at each occurrence of the term "tank truck" or "gasoline tank truck" in those paragraphs.

(2) Ensure that organic liquids are loaded only into transport vehicles that have a current certification in accordance with the U.S. Department of Transportation (DOT) pressure test requirements in 49 CFR part 180 for cargo tanks or 49 CFR 173.31 for tank cars.

(e) *Operating limits.* For each high throughput transfer rack, you must meet each operating limit in Table 3 to this subpart for each control device used to comply with the provisions of this subpart whenever emissions from the loading of organic liquids are routed to the control device. For each storage tank and low throughput transfer rack, you must comply with the requirements for monitored parameters as specified in subpart SS of this part for storage vessels and, during the loading of organic liquids, for low throughput transfer racks, respectively. Alternatively, you may comply with the operating limits in Table 3 to this subpart.

(f) If you elect to demonstrate compliance with a percent reduction requirement in Table 2 to this subpart using total organic compounds (TOC) rather than organic HAP, you must first demonstrate, subject to approval of the Administrator, that TOC is an appropriate surrogate for organic HAP in your case; that is, for your storage tank(s) and/or transfer rack(s), the percent destruction of organic HAP is equal to or higher than the percent destruction of TOC. This demonstration must be conducted prior to or during the initial compliance test.

(g) As provided in §63.6(g), you may request approval from the Administrator to use an alternative to the emission limitations, operating limits, and work practice standards in this section. You must follow the procedures in §63.177(b) through (e) in applying for permission to use such an alternative. If you apply for permission to use an alternative to the emission limitations, operating limits, and work practice standards in this section, you must submit the information described in §63.6(g)(2).

(h) [Reserved]

(i) Opening of a safety device is allowed at any time that it is required to avoid unsafe operating conditions.

(j) If you elect to comply with this subpart by combining emissions from different emission sources subject to this subpart in a single control device, then you must comply with the provisions specified in §63.982(f).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42908, July 28, 2006]

## **General Compliance Requirements**

### **§ 63.2350 What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limitations, operating limits, and work practice standards in this subpart at all times when the equipment identified in §63.2338(b)(1) through (4) is in OLD operation.

(b) You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in §63.6(e)(1)(i).

(c) Except for emission sources not required to be controlled as specified in §63.2343, you must develop a written startup, shutdown, and malfunction (SSM) plan according to the provisions in §63.6(e)(3).

## Testing and Initial Compliance Requirements

### § 63.2354 What performance tests, design evaluations, and performance evaluations must I conduct?

(a)(1) For each performance test that you conduct, you must use the procedures specified in subpart SS of this part and the provisions specified in paragraph (b) of this section.

(2) For each design evaluation you conduct, you must use the procedures specified in subpart SS of this part.

(3) For each performance evaluation of a continuous emission monitoring system (CEMS) you conduct, you must follow the requirements in §63.8(e).

(b)(1) For nonflare control devices, you must conduct each performance test according to the requirements in §63.7(e)(1), and either §63.988(b), §63.990(b), or §63.995(b), using the procedures specified in §63.997(e).

(2) You must conduct three separate test runs for each performance test on a nonflare control device as specified in §§63.7(e)(3) and 63.997(e)(1)(v). Each test run must last at least 1 hour, except as provided in §63.997(e)(1)(v)(A) and (B).

(3)(i) In addition to EPA Method 25 or 25A of 40 CFR part 60, appendix A, to determine compliance with the organic HAP or TOC emission limit, you may use EPA Method 18 of 40 CFR part 60, appendix A, as specified in paragraph (b)(3)(i) of this section. As an alternative to EPA Method 18, you may use ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), under the conditions specified in paragraph (b)(3)(ii) of this section.

(A) If you use EPA Method 18 to measure compliance with the percentage efficiency limit, you must first determine which organic HAP are present in the inlet gas stream (i.e., uncontrolled emissions) using knowledge of the organic liquids or the screening procedure described in EPA Method 18. In conducting the performance test, you must analyze samples collected as specified in EPA Method 18, simultaneously at the inlet and outlet of the control device. Quantify the emissions for the same organic HAP identified as present in the inlet gas stream for both the inlet and outlet gas streams of the control device.

(B) If you use EPA Method 18 of 40 CFR part 60, appendix A, to measure compliance with the emission concentration limit, you must first determine which organic HAP are present in the inlet gas stream using knowledge of the organic liquids or the screening procedure described in EPA Method 18. In conducting the performance test, analyze samples collected as specified in EPA Method 18 at the outlet of the control device. Quantify the control device outlet emission concentration for the same organic HAP identified as present in the inlet or uncontrolled gas stream.

(ii) You may use ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), as an alternative to EPA Method 18 if the target concentration is between 150 parts per billion by volume and 100 ppmv and either of the conditions specified in paragraph (b)(2)(ii)(A) or (B) of this section exists. For target compounds not listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004) and not amenable to detection by mass spectrometry, you may not use ASTM D6420–99 (Reapproved 2004).

(A) The target compounds are those listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14),; or

(B) For target compounds not listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), but potentially detected by mass spectrometry, the additional system

continuing calibration check after each run, as detailed in ASTM D6420–99 (Reapproved 2004), Section 10.5.3, must be followed, met, documented, and submitted with the data report, even if there is no moisture condenser used or the compound is not considered water-soluble.

(4) If a principal component of the uncontrolled or inlet gas stream to the control device is formaldehyde, you may use EPA Method 316 of appendix A of this part instead of EPA Method 18 of 40 CFR part 60, appendix A, for measuring the formaldehyde. If formaldehyde is the predominant organic HAP in the inlet gas stream, you may use EPA Method 316 alone to measure formaldehyde either at the inlet and outlet of the control device using the formaldehyde control efficiency as a surrogate for total organic HAP or TOC efficiency, or at the outlet of a combustion device for determining compliance with the emission concentration limit.

(5) You may not conduct performance tests during periods of SSM, as specified in §63.7(e)(1).

(c) To determine the HAP content of the organic liquid, you may use EPA Method 311 of 40 CFR part 63, appendix A, or other method approved by the Administrator. In addition, you may use other means, such as voluntary consensus standards, material safety data sheets (MSDS), or certified product data sheets, to determine the HAP content of the organic liquid. If the method you select to determine the HAP content provides HAP content ranges, you must use the upper end of each HAP content range in determining the total HAP content of the organic liquid. The EPA may require you to test the HAP content of an organic liquid using EPA Method 311 or other method approved by the Administrator. If the results of the EPA Method 311 (or any other approved method) are different from the HAP content determined by another means, the EPA Method 311 (or approved method) results will govern.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42909, July 28, 2006]

#### **§ 63.2358 By what date must I conduct performance tests and other initial compliance demonstrations?**

(a) You must conduct initial performance tests and design evaluations according to the schedule in §63.7(a)(2), or by the compliance date specified in any applicable State or Federal new source review construction permit to which the affected source is already subject, whichever is earlier.

(b)(1) For storage tanks and transfer racks at existing affected sources complying with the emission limitations listed in Table 2 to this subpart, you must demonstrate initial compliance with the emission limitations within 180 days after February 5, 2007.

(2) For storage tanks and transfer racks at reconstructed or new affected sources complying with the emission limitations listed in Table 2 to this subpart, you must conduct your initial compliance demonstration with the emission limitations within 180 days after the initial startup date for the affected source or February 3, 2004, whichever is later.

(c)(1) For storage tanks at existing affected sources complying with the work practice standard in Table 4 to this subpart, you must conduct your initial compliance demonstration the next time the storage tank is emptied and degassed, but not later than 10 years after February 3, 2004.

(2) For transfer racks and equipment leak components at existing affected sources complying with the work practice standards in Table 4 to this subpart, you must conduct your initial compliance demonstration within 180 days after February 5, 2007.

(d) For storage tanks, transfer racks, and equipment leak components at reconstructed or new affected sources complying with the work practice standards in Table 4 to this subpart, you must conduct your initial compliance demonstration within 180 days after the initial startup date for the affected source.

#### **§ 63.2362 When must I conduct subsequent performance tests?**

(a) For nonflare control devices, you must conduct subsequent performance testing required in Table 5 to this subpart, item 1, at any time the EPA requests you to in accordance with section 114 of the CAA.

(b)(1) For each transport vehicle that you own that is equipped with vapor collection equipment and that is loaded with organic liquids at a transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must perform the vapor tightness testing required in Table 5 to this subpart, item 2, on that transport vehicle at least once per year.

(2) For transport vehicles that you own that do not have vapor collection equipment, you must maintain current certification in accordance with the U.S. DOT pressure test requirements in 49 CFR part 180 for cargo tanks or 49 CFR 173.31 for tank cars.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

### **§ 63.2366 What are my monitoring installation, operation, and maintenance requirements?**

(a) You must install, operate, and maintain a CMS on each control device required in order to comply with this subpart. If you use a continuous parameter monitoring system (CPMS) (as defined in §63.981), you must comply with the applicable requirements for CPMS in subpart SS of this part for the control device being used. If you use a continuous emissions monitoring system (CEMS), you must comply with the requirements in §63.8.

(b) For nonflare control devices controlling storage tanks and low throughput transfer racks, you must submit a monitoring plan according to the requirements in subpart SS of this part for monitoring plans.

### **§ 63.2370 How do I demonstrate initial compliance with the emission limitations, operating limits, and work practice standards?**

(a) You must demonstrate initial compliance with each emission limitation and work practice standard that applies to you as specified in Tables 6 and 7 to this subpart.

(b) You demonstrate initial compliance with the operating limits requirements specified in §63.2346(e) by establishing the operating limits during the initial performance test or design evaluation.

(c) You must submit the results of the initial compliance determination in the Notification of Compliance Status according to the requirements in §63.2382(d).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

## **Continuous Compliance Requirements**

### **§ 63.2374 When do I monitor and collect data to demonstrate continuous compliance and how do I use the collected data?**

(a) You must monitor and collect data according to subpart SS of this part and paragraphs (b) and (c) of this section.

(b) When using a control device to comply with this subpart, you must monitor continuously or collect data at all required intervals at all times that the emission source and control device are in OLD operation, except for CMS malfunctions (including any malfunction preventing the CMS from operating properly), associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments).

(c) Do not use data recorded during CMS malfunctions, associated repairs, required quality assurance or control activities, or periods when emissions from organic liquids are not routed to the control device in data averages and calculations used to report emission or operating levels. Do not use such data in fulfilling a minimum data availability requirement, if applicable. You must use all of the data collected during all other periods, including periods of SSM, in assessing the operation of the control device.

### **§ 63.2378 How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?**

(a) You must demonstrate continuous compliance with each emission limitation, operating limit, and work practice standard in Tables 2 through 4 to this subpart that applies to you according to the methods specified in subpart SS of this part and in Tables 8 through 10 to this subpart, as applicable.

(b) You must follow the requirements in §63.6(e)(1) and (3) during periods of startup, shutdown, malfunction, or nonoperation of the affected source or any part thereof. In addition, the provisions of paragraphs (b)(1) through (3) of this section apply.

(1) The emission limitations in this subpart apply at all times except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies. The emission limitations of this subpart apply during periods of SSM, except as provided in paragraphs (b)(2) and (3) of this section. However, if a SSM, or period of nonoperation of one portion of the affected source does not affect the ability of a particular emission source to comply with the emission limitations to which it is subject, then that emission source is still required to comply with the applicable emission limitations of this subpart during the startup, shutdown, malfunction, or period of nonoperation.

(2) The owner or operator must not shut down control devices or monitoring systems that are required or utilized for achieving compliance with this subpart during periods of SSM while emissions are being routed to such items of equipment if the shutdown would contravene requirements of this subpart applicable to such items of equipment. This paragraph (b)(2) does not apply if the item of equipment is malfunctioning. This paragraph (b)(2) also does not apply if the owner or operator shuts down the compliance equipment (other than monitoring systems) to avoid damage due to a contemporaneous SSM of the affected source or portion thereof. If the owner or operator has reason to believe that monitoring equipment would be damaged due to a contemporaneous SSM of the affected source or portion thereof, the owner or operator must provide documentation supporting such a claim in the next Compliance report required in Table 11 to this subpart, item 1. Once approved by the Administrator, the provision for ceasing to collect, during a SSM, monitoring data that would otherwise be required by the provisions of this subpart must be incorporated into the SSM plan.

(3) During SSM, you must implement, to the extent reasonably available, measures to prevent or minimize excess emissions. For purposes of this paragraph (b)(3), the term "excess emissions" means emissions greater than those allowed by the emission limits that apply during normal operational periods. The measures to be taken must be identified in the SSM plan, and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the affected source. Back-up control devices are not required, but may be used if available.

(c) Periods of planned routine maintenance of a control device used to control storage tanks or transfer racks, during which the control device does not meet the emission limits in Table 2 to this subpart, must not exceed 240 hours per year.

(d) If you elect to route emissions from storage tanks or transfer racks to a fuel gas system or to a process, as allowed by §63.982(d), to comply with the emission limits in Table 2 to this subpart, the total aggregate amount of time during which the emissions bypass the fuel gas system or process during the calendar year without being routed to a control device, for all reasons (except SSM or product changeovers of flexible operation units and periods when a storage tank has been emptied and degassed), must not exceed 240 hours.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 20463, Apr. 20, 2006]

## **Notifications, Reports, and Records**

### **§ 63.2382 What notifications must I submit and when and what information should be submitted?**

(a) You must submit each notification in subpart SS of this part, Table 12 to this subpart, and paragraphs (b) through (d) of this section that applies to you. You must submit these notifications according to the schedule in Table 12 to this subpart and as specified in paragraphs (b) through (d) of this section.

(b)(1) *Initial Notification.* If you startup your affected source before February 3, 2004, you must submit the Initial Notification no later than 120 calendar days after February 3, 2004.

(2) If you startup your new or reconstructed affected source on or after February 3, 2004, you must submit the Initial Notification no later than 120 days after initial startup.

(c) If you are required to conduct a performance test, you must submit the Notification of Intent to conduct the test at least 60 calendar days before it is initially scheduled to begin as required in §63.7(b)(1).

(d)(1) *Notification of Compliance Status.* If you are required to conduct a performance test, design evaluation, or other initial compliance demonstration as specified in Table 5, 6, or 7 to this subpart, you must submit a Notification of Compliance Status.

(2) The Notification of Compliance Status must include the information required in §63.999(b) and in paragraphs (d)(2)(i) through (viii) of this section.

(i) The results of any applicability determinations, emission calculations, or analyses used to identify and quantify organic HAP emissions from the affected source.

(ii) The results of emissions profiles, performance tests, engineering analyses, design evaluations, flare compliance assessments, inspections and repairs, and calculations used to demonstrate initial compliance according to Tables 6 and 7 to this subpart. For performance tests, results must include descriptions of sampling and analysis procedures and quality assurance procedures.

(iii) Descriptions of monitoring devices, monitoring frequencies, and the operating limits established during the initial compliance demonstrations, including data and calculations to support the levels you establish.

(iv) Descriptions of worst-case operating and/or testing conditions for the control device(s).

(v) Identification of emission sources subject to overlapping requirements described in §63.2396 and the authority under which you will comply.

(vi) The applicable information specified in §63.1039(a)(1) through (3) for all pumps and valves subject to the work practice standards for equipment leak components in Table 4 to this subpart, item 4.

(vii) If you are complying with the vapor balancing work practice standard for transfer racks according to Table 4 to this subpart, item 3.a, include a statement to that effect and a statement that the pressure vent settings on the affected storage tanks are greater than or equal to 2.5 psig.

(viii) The information specified in §63.2386(c)(10)(i), unless the information has already been submitted with the first Compliance report. If the information specified in §63.2386(c)(10)(i) has already been submitted with the first Compliance report, the information specified in §63.2386(d)(3) and (4), as applicable, shall be submitted instead.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

### **§ 63.2386 What reports must I submit and when and what information is to be submitted in each?**

(a) You must submit each report in subpart SS of this part, Table 11 to this subpart, Table 12 to this subpart, and in paragraphs (c) through (e) of this section that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report according to Table 11 to this subpart and by the dates shown in paragraphs (b)(1) through (3) of this section, by the dates shown in subpart SS of this part, and by the dates shown in Table 12 to this subpart, whichever are applicable.

(1)(i) The first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.2342 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(ii) The first Compliance report must be postmarked no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(2)(i) Each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(ii) Each subsequent Compliance report must be postmarked no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(3) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) and (2) of this section.

(c) *First Compliance report.* The first Compliance report must contain the information specified in paragraphs (c)(1) through (10) of this section.

(1) Company name and address.

(2) Statement by a responsible official, including the official's name, title, and signature, certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(3) Date of report and beginning and ending dates of the reporting period.

(4) Any changes to the information listed in §63.2382(d)(2) that have occurred since the submittal of the Notification of Compliance Status.

(5) If you had a SSM during the reporting period and you took actions consistent with your SSM plan, the Compliance report must include the information described in §63.10(d)(5)(i).

(6) If there are no deviations from any emission limitation or operating limit that applies to you and there are no deviations from the requirements for work practice standards, a statement that there were no deviations from the emission limitations, operating limits, or work practice standards during the reporting period.

(7) If there were no periods during which the CMS was out of control as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out of control during the reporting period.

(8) For closed vent systems and control devices used to control emissions, the information specified in paragraphs (c)(8)(i) and (ii) of this section for those planned routine maintenance activities that would require the control device to not meet the applicable emission limit.

(i) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next 6 months. This description must include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.

(ii) A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description must include the type of maintenance performed and the total number of hours during those 6 months that the control device did not meet the applicable emission limit due to planned routine maintenance.

(9) A listing of all transport vehicles into which organic liquids were loaded at transfer racks that are subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, during the previous 6 months for which vapor tightness documentation as required in §63.2390(c) was not on file at the facility.

(10)(i) A listing of all transfer racks (except those racks at which only unloading of organic liquids occurs) and of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that are part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart.

(ii) If the information specified in paragraph (c)(10)(i) of this section has already been submitted with the Notification of Compliance Status, the information specified in paragraphs (d)(3) and (4) of this section, as applicable, shall be submitted instead.

(d) *Subsequent Compliance reports*. Subsequent Compliance reports must contain the information in paragraphs (c)(1) through (9) of this section and, where applicable, the information in paragraphs (d)(1) through (4) of this section.

(1) For each deviation from an emission limitation occurring at an affected source where you are using a CMS to comply with an emission limitation in this subpart, you must include in the Compliance report the applicable information in paragraphs (d)(1)(i) through (xii) of this section. This includes periods of SSM.

(i) The date and time that each malfunction started and stopped.

(ii) The dates and times that each CMS was inoperative, except for zero (low-level) and high-level checks.

(iii) For each CMS that was out of control, the information in §63.8(c)(8).

(iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of SSM, or during another period.

(v) A summary of the total duration of the deviations during the reporting period, and the total duration as a percentage of the total emission source operating time during that reporting period.

(vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

(vii) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percentage of the total emission source operating time during that reporting period.

(viii) An identification of each organic HAP that was potentially emitted during each deviation based on the known organic HAP contained in the liquid(s).

(ix) A brief description of the emission source(s) at which the CMS deviation(s) occurred.

(x) A brief description of each CMS that was out of control during the period.

(xi) The date of the latest certification or audit for each CMS.

(xii) A brief description of any changes in CMS, processes, or controls since the last reporting period.

(2) Include in the Compliance report the information in paragraphs (d)(2)(i) through (iii) of this section, as applicable.

(i) For each storage tank and transfer rack subject to control requirements, include periods of planned routine maintenance during which the control device did not comply with the applicable emission limits in table 2 to this subpart.

(ii) For each storage tank controlled with a floating roof, include a copy of the inspection record (required in §63.1065(b)) when inspection failures occur.

(iii) If you elect to use an extension for a floating roof inspection in accordance with §63.1063(c)(2)(iv)(B) or (e)(2), include the documentation required by those paragraphs.

(3)(i) A listing of any storage tank that became subject to controls based on the criteria for control specified in table 2 to this subpart, items 1 through 6, since the filing of the last Compliance report.

(ii) A listing of any transfer rack that became subject to controls based on the criteria for control specified in table 2 to this subpart, items 7 through 10, since the filing of the last Compliance report.

(4)(i) A listing of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that became part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart, since the last Compliance report.

(ii) A listing of all transfer racks (except those racks at which only the unloading of organic liquids occurs) that became part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart, since the last Compliance report.

(e) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 40 CFR part 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to table 11 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission limitation in this subpart, we will consider submission of the Compliance report as satisfying any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report will not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the applicable title V permitting authority.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

### **§ 63.2390 What records must I keep?**

(a) For each emission source identified in §63.2338 that does not require control under this subpart, you must keep all records identified in §63.2343.

(b) For each emission source identified in §63.2338 that does require control under this subpart:

(1) You must keep all records identified in subpart SS of this part and in table 12 to this subpart that are applicable, including records related to notifications and reports, SSM, performance tests, CMS, and performance evaluation plans; and

(2) You must keep the records required to show continuous compliance, as required in subpart SS of this part and in tables 8 through 10 to this subpart, with each emission limitation, operating limit, and work practice standard that applies to you.

(c) For each transport vehicle into which organic liquids are loaded at a transfer rack that is subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, you must keep the applicable records in paragraphs (c)(1) and (2) of this section or alternatively the verification records in paragraph (c)(3) of this section.

(1) For transport vehicles equipped with vapor collection equipment, the documentation described in 40 CFR 60.505(b), except that the test title is: Transport Vehicle Pressure Test-EPA Reference Method 27.

(2) For transport vehicles without vapor collection equipment, current certification in accordance with the U.S. DOT pressure test requirements in 49 CFR part 180 for cargo tanks or 49 CFR 173.31 for tank cars.

(3) In lieu of keeping the records specified in paragraph (c)(1) or (2) of this section, as applicable, the owner or operator shall record that the verification of U.S. DOT tank certification or Method 27 of appendix A to 40 CFR part 60 testing, required in table 5 to this subpart, item 2, has been performed. Various methods for the record of verification

can be used, such as: A check-off on a log sheet, a list of U.S. DOT serial numbers or Method 27 data, or a position description for gate security showing that the security guard will not allow any trucks on site that do not have the appropriate documentation.

(d) You must keep records of the total actual annual facility-level organic liquid loading volume as defined in §63.2406 through transfer racks to document the applicability, or lack thereof, of the emission limitations in table 2 to this subpart, items 7 through 10.

(e) An owner or operator who elects to comply with §63.2346(a)(4) shall keep the records specified in paragraphs (e)(1) through (3) of this section.

(1) A record of the U.S. DOT certification required by §63.2346(a)(4)(ii).

(2) A record of the pressure relief vent setting specified in §63.2348(a)(4)(v).

(3) If complying with §63.2348(a)(4)(vi)(B), keep the records specified in paragraphs (e)(3)(i) and (ii) of this section.

(i) A record of the equipment to be used and the procedures to be followed when reloading the cargo tank or tank car and displacing vapors to the storage tank from which the liquid originates.

(ii) A record of each time the vapor balancing system is used to comply with §63.2348(a)(4)(vi)(B).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

### **§ 63.2394 In what form and how long must I keep my records?**

(a) Your records must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form at a separate location.

(b) As specified in §63.10(b)(1), you must keep your files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You may keep the records off site for the remaining 3 years.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

### **Other Requirements and Information**

#### **§ 63.2396 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?**

(a) *Compliance with other regulations for storage tanks.* (1) After the compliance dates specified in §63.2342, you are in compliance with the provisions of this subpart for any storage tank that is assigned to the OLD affected source and that is both controlled with a floating roof and is in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that records shall be kept for 5 years rather than 2 years for storage tanks that are assigned to the OLD affected source.

(2) After the compliance dates specified in §63.2342, you are in compliance with the provisions of this subpart for any storage tank with a fixed roof that is assigned to the OLD affected source and that is both controlled with a closed vent system and control device and is in compliance with either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that you must comply with the monitoring, recordkeeping, and reporting requirements in this subpart.

(3) As an alternative to paragraphs (a)(1) and (2) of this section, if a storage tank assigned to the OLD affected source is subject to control under 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, you may elect to comply only with the requirements of this subpart for storage tanks meeting the applicability criteria for control in table 2 to this subpart.

(b) *Compliance with other regulations for transfer racks* . After the compliance dates specified in §63.2342, if you have a transfer rack that is subject to 40 CFR part 61, subpart BB, and that transfer rack is in OLD operation, you must meet all of the requirements of this subpart for that transfer rack when the transfer rack is in OLD operation during the loading of organic liquids.

(c) *Compliance with other regulations for equipment leak components*. (1) After the compliance dates specified in §63.2342, if you have pumps, valves, or sampling connections that are subject to a 40 CFR part 60 subpart, and those pumps, valves, and sampling connections are in OLD operation and in organic liquids service, as defined in this subpart, you must comply with the provisions of each subpart for those equipment leak components.

(2) After the compliance dates specified in §63.2342, if you have pumps, valves, or sampling connections subject to 40 CFR part 63, subpart GGG, and those pumps, valves, and sampling connections are in OLD operation and in organic liquids service, as defined in this subpart, you may elect to comply with the provisions of this subpart for all such equipment leak components. You must identify in the Notification of Compliance Status required by §63.2382(b) the provisions with which you will comply.

(d) [Reserved]

(e) *Overlap with other regulations for monitoring, recordkeeping, and reporting*—(1) *Control devices* . After the compliance dates specified in §63.2342, if any control device subject to this subpart is also subject to monitoring, recordkeeping, and reporting requirements of another 40 CFR part 63 subpart, the owner or operator must be in compliance with the monitoring, recordkeeping, and reporting requirements of this subpart EEEE. If complying with the monitoring, recordkeeping, and reporting requirements of the other subpart satisfies the monitoring, recordkeeping, and reporting requirements of this subpart, the owner or operator may elect to continue to comply with the monitoring, recordkeeping, and reporting requirements of the other subpart. In such instances, the owner or operator will be deemed to be in compliance with the monitoring, recordkeeping, and reporting requirements of this subpart. The owner or operator must identify the other subpart being complied with in the Notification of Compliance Status required by §63.2382(b).

(2) *Equipment leak components* . After the compliance dates specified in §63.2342, if you are applying the applicable recordkeeping and reporting requirements of another 40 CFR part 63 subpart to the valves, pumps, and sampling connection systems associated with a transfer rack subject to this subpart that only unloads organic liquids directly to or via pipeline to a non-tank process unit component or to a storage tank subject to the other 40 CFR part 63 subpart, the owner or operator must be in compliance with the recordkeeping and reporting requirements of this subpart EEEE. If complying with the recordkeeping and reporting requirements of the other subpart satisfies the recordkeeping and reporting requirements of this subpart, the owner or operator may elect to continue to comply with the recordkeeping and reporting requirements of the other subpart. In such instances, the owner or operator will be deemed to be in compliance with the recordkeeping and reporting requirements of this subpart. The owner or operator must identify the other subpart being complied with in the Notification of Compliance Status required by §63.2382(b).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

### **§ 63.2398 What parts of the General Provisions apply to me?**

Table 12 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

### **§ 63.2402 Who implements and enforces this subpart?**

(a) This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (U.S. EPA) or a delegated authority such as your State, local, or eligible tribal agency. If the EPA Administrator has delegated authority to your State, local, or eligible tribal agency, then that agency, as well as the EPA, has the authority to

implement and enforce this subpart. You should contact your EPA Regional Office (see list in §63.13) to find out if this subpart is delegated to your State, local, or eligible tribal agency.

(b) In delegating implementation and enforcement authority for this subpart to a State, local, or eligible tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraphs (b)(1) through (4) of this section are retained by the EPA Administrator and are not delegated to the State, local, or eligible tribal agency.

(1) Approval of alternatives to the nonopacity emission limitations, operating limits, and work practice standards in §63.2346(a) through (c) under §63.6(g).

(2) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

### **§ 63.2406 What definitions apply to this subpart?**

Terms used in this subpart are defined in the CAA, in §63.2, 40 CFR part 63, subparts H, PP, SS, TT, UU, and WW, and in this section. If the same term is defined in another subpart and in this section, it will have the meaning given in this section for purposes of this subpart. Notwithstanding the introductory language in §63.921, the terms “container” and “safety device” shall have the meaning found in this subpart and not in §63.921.

*Actual annual average temperature*, for organic liquids, means the temperature determined using the following methods:

(1) For heated or cooled storage tanks, use the calculated annual average temperature of the stored organic liquid as determined from a design analysis of the storage tank.

(2) For ambient temperature storage tanks:

(i) Use the annual average of the local (nearest) normal daily mean temperatures reported by the National Climatic Data Center; or

(ii) Use any other method that the EPA approves.

*Annual average true vapor pressure* means the equilibrium partial pressure exerted by the total table 1 organic HAP in the stored or transferred organic liquid. For the purpose of determining if a liquid meets the definition of an organic liquid, the vapor pressure is determined using standard conditions of 77 degrees F and 29.92 inches of mercury. For the purpose of determining whether an organic liquid meets the applicability criteria in table 2, items 1 through 6, to this subpart, use the actual annual average temperature as defined in this subpart. The vapor pressure value in either of these cases is determined:

(1) In accordance with methods described in American Petroleum Institute Publication 2517, Evaporative Loss from External Floating-Roof Tanks (incorporated by reference, see §63.14);

(2) Using standard reference texts;

(3) By the American Society for Testing and Materials Method D2879–83, 96 (incorporated by reference, see §63.14); or

(4) Using any other method that the EPA approves.

*Bottoms receiver* means a tank that collects distillation bottoms before the stream is sent for storage or for further processing downstream.

*Cargo tank* means a liquid-carrying tank permanently attached and forming an integral part of a motor vehicle or truck trailer. This term also refers to the entire cargo tank motor vehicle or trailer. For the purpose of this subpart, vacuum trucks used exclusively for maintenance or spill response are not considered cargo tanks.

*Closed vent system* means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapors from an emission point to a control device. This system does not include the vapor collection system that is part of some transport vehicles or the loading arm or hose that is used for vapor return. For transfer racks, the closed vent system begins at, and includes, the first block valve on the downstream side of the loading arm or hose used to convey displaced vapors.

*Combustion device* means an individual unit of equipment, such as a flare, oxidizer, catalytic oxidizer, process heater, or boiler, used for the combustion of organic emissions.

*Container* means a portable unit in which a material can be stored, transported, treated, disposed of, or otherwise handled. Examples of containers include, but are not limited to, drums and portable cargo containers known as "portable tanks" or "totes."

*Control device* means any combustion device, recovery device, recapture device, or any combination of these devices used to comply with this subpart. Such equipment or devices include, but are not limited to, absorbers, adsorbers, condensers, and combustion devices. Primary condensers, steam strippers, and fuel gas systems are not considered control devices.

*Crude oil* means any of the naturally occurring liquids commonly referred to as crude oil, regardless of specific physical properties. Only those crude oils downstream of the first point of custody transfer after the production field are considered crude oils in this subpart.

*Custody transfer* means the transfer of hydrocarbon liquids after processing and/or treatment in the producing operations, or from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

*Design evaluation* means a procedure for evaluating control devices that complies with the requirements in §63.985(b)(1)(i).

*Deviation* means any instance in which an affected source subject to this subpart, or portion thereof, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limitation (including any operating limit) or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart, and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation (including any operating limit) or work practice standard in this subpart during SSM.

*Emission limitation* means an emission limit, opacity limit, operating limit, or visible emission limit.

*Equipment leak component* means each pump, valve, and sampling connection system used in organic liquids service at an OLD operation. Valve types include control, globe, gate, plug, and ball. Relief and check valves are excluded.

*Gasoline* means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 pounds per square inch absolute (psia)) or greater which is used as a fuel for internal combustion engines. Aviation gasoline is included in this definition.

*High throughput transfer rack* means those transfer racks that transfer into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) a total of 11.8 million liters per year or greater of organic liquids.

*In organic liquids service* means that an equipment leak component contains or contacts organic liquids having 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart.

*Low throughput transfer rack* means those transfer racks that transfer into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) less than 11.8 million liters per year of organic liquids.

*On-site or on site* means, with respect to records required to be maintained by this subpart or required by another subpart referenced by this subpart, that records are stored at a location within a major source which encompasses the affected source. On-site includes, but is not limited to, storage at the affected source to which the records pertain, storage in central files elsewhere at the major source, or electronically available at the site.

*Organic liquid* means:

(1) Any non-crude oil liquid or liquid mixture that contains 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart, as determined using the procedures specified in §63.2354(c).

(2) Any crude oils downstream of the first point of custody transfer.

(3) Organic liquids for purposes of this subpart do not include the following liquids:

(i) Gasoline (including aviation gasoline), kerosene (No. 1 distillate oil), diesel (No. 2 distillate oil), asphalt, and heavier distillate oils and fuel oils;

(ii) Any fuel consumed or dispensed on the plant site directly to users (such as fuels for fleet refueling or for refueling marine vessels that support the operation of the plant);

(iii) Hazardous waste;

(iv) Wastewater;

(v) Ballast water: or

(vi) Any non-crude oil liquid with an annual average true vapor pressure less than 0.7 kilopascals (0.1 psia).

*Organic liquids distribution (OLD) operation* means the combination of activities and equipment used to store or transfer organic liquids into, out of, or within a plant site regardless of the specific activity being performed. Activities include, but are not limited to, storage, transfer, blending, compounding, and packaging.

*Permitting authority* means one of the following:

(1) The State Air Pollution Control Agency, local agency, or other agency authorized by the EPA Administrator to carry out a permit program under 40 CFR part 70; or

(2) The EPA Administrator, in the case of EPA-implemented permit programs under title V of the CAA (42 U.S.C. 7661) and 40 CFR part 71.

*Plant site* means all contiguous or adjoining surface property that is under common control, including surface properties that are separated only by a road or other public right-of-way. Common control includes surface properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination.

*Research and development facility* means laboratory and pilot plant operations whose primary purpose is to conduct research and development into new processes and products, where the operations are under the close supervision of technically trained personnel, and which are not engaged in the manufacture of products for commercial sale, except in a *de minimis* manner.

*Responsible official* means responsible official as defined in 40 CFR 70.2 and 40 CFR 71.2, as applicable.

*Safety device* means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device that functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event.

*Shutdown* means the cessation of operation of an OLD affected source, or portion thereof (other than as part of normal operation of a batch-type operation), including equipment required or used to comply with this subpart, or the emptying and degassing of a storage tank. Shutdown as defined here includes, but is not limited to, events that result from periodic maintenance, replacement of equipment, or repair.

*Startup* means the setting in operation of an OLD affected source, or portion thereof (other than as part of normal operation of a batch-type operation), for any purpose. Startup also includes the placing in operation of any individual piece of equipment required or used to comply with this subpart including, but not limited to, control devices and monitors.

*Storage tank* means a stationary unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, or reinforced plastic) that provide structural support and is designed to hold a bulk quantity of liquid. Storage tanks do not include:

- (1) Units permanently attached to conveyances such as trucks, trailers, rail cars, barges, or ships;
- (2) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere;
- (3) Bottoms receivers;
- (4) Surge control vessels;
- (5) Vessels storing wastewater; or
- (6) Reactor vessels associated with a manufacturing process unit.

*Surge control vessel* means feed drums, recycle drums, and intermediate vessels. Surge control vessels are used within chemical manufacturing processes when in-process storage, mixing, or management of flow rates or volumes is needed to assist in production of a product.

*Tank car* means a car designed to carry liquid freight by rail, and including a permanently attached tank.

*Total actual annual facility-level organic liquid loading volume* means the total facility-level actual volume of organic liquid loaded for transport within or out of the facility through transfer racks that are part of the affected source into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) based on a 3-year rolling average, calculated annually.

(1) For existing affected sources, each 3-year rolling average is based on actual facility-level loading volume during each calendar year (January 1 through December 31) in the 3-year period. For calendar year 2004 only (the first year of the initial 3-year rolling average), if an owner or operator of an affected source does not have actual loading volume data for the time period from January 1, 2004, through February 2, 2004 (the time period prior to the effective date of the OLD NESHAP), the owner or operator shall compute a facility-level loading volume for this time period as follows: At the end of the 2004 calendar year, the owner or operator shall calculate a daily average facility-level loading volume (based on the actual loading volume for February 3, 2004, through December 31, 2004) and use that daily average to estimate the facility-level loading volume for the period of time from January 1, 2004, through

February 2, 2004. The owner or operator shall then sum the estimated facility-level loading volume from January 1, 2004, through February 2, 2004, and the actual facility-level loading volume from February 3, 2004, through December 31, 2004, to calculate the annual facility-level loading volume for calendar year 2004.

(2)(i) For new affected sources, the 3-year rolling average is calculated as an average of three 12-month periods. An owner or operator must select as the beginning calculation date with which to start the calculations as either the initial startup date of the new affected source or the first day of the calendar month following the month in which startup occurs. Once selected, the date with which the calculations begin cannot be changed.

(ii) The initial 3-year rolling average is based on the projected maximum facility-level annual loading volume for each of the 3 years following the selected beginning calculation date. The second 3-year rolling average is based on actual facility-level loading volume for the first year of operation plus a new projected maximum facility-level annual loading volume for second and third years following the selected beginning calculation date. The third 3-year rolling average is based on actual facility-level loading volume for the first 2 years of operation plus a new projected maximum annual facility-level loading volume for the third year following the beginning calculation date. Subsequent 3-year rolling averages are based on actual facility-level loading volume for each year in the 3-year rolling average.

*Transfer rack* means a single system used to load organic liquids into, or unload organic liquids out of, transport vehicles or containers. It includes all loading and unloading arms, pumps, meters, shutoff valves, relief valves, and other piping and equipment necessary for the transfer operation. Transfer equipment and operations that are physically separate (i.e., do not share common piping, valves, and other equipment) are considered to be separate transfer racks.

*Transport vehicle* means a cargo tank or tank car.

*Vapor balancing system* means:

(1) A piping system that collects organic HAP vapors displaced from transport vehicles or containers during loading and routes the collected vapors to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header. For containers, the piping system must route the displaced vapors directly to the appropriate storage tank or to another storage tank connected to a common header in order to qualify as a vapor balancing system; or

(2) A piping system that collects organic HAP vapors displaced from the loading of a storage tank and routes the collected vapors to the transport vehicle from which the storage tank is filled.

*Vapor collection system* means any equipment located at the source (i.e., at the OLD operation) that is not open to the atmosphere; that is composed of piping, connections, and, if necessary, flow-inducing devices; and that is used for:

(1) Containing and conveying vapors displaced during the loading of transport vehicles to a control device;

(2) Containing and directly conveying vapors displaced during the loading of containers; or

(3) Vapor balancing. This does not include any of the vapor collection equipment that is installed on the transport vehicle.

*Vapor-tight transport vehicle* means a transport vehicle that has been demonstrated to be vapor-tight. To be considered vapor-tight, a transport vehicle equipped with vapor collection equipment must undergo a pressure change of no more than 250 pascals (1 inch of water) within 5 minutes after it is pressurized to 4,500 pascals (18 inches of water). This capability must be demonstrated annually using the procedures specified in EPA Method 27 of 40 CFR part 60, appendix A. For all other transport vehicles, vapor tightness is demonstrated by performing the U.S. DOT pressure test procedures for tank cars and cargo tanks.

*Work practice standard* means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the CAA.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

**Table 1 to Subpart EEEE of Part 63—Organic Hazardous Air Pollutants**

You must use the organic HAP information listed in the following table to determine which of the liquids handled at your facility meet the HAP content criteria in the definition of Organic Liquid in §63.2406.

<b>Compound name</b>	<b>CAS No.<sup>1</sup></b>
2,4-D salts and esters	94-75-7
Acetaldehyde	75-07-0
Acetonitrile	75-05-8
Acetophenone	98-86-2
Acrolein	107-02-8
Acrylamide	79-06-1
Acrylic acid	79-10-7
Acrylonitrile	107-13-1
Allyl chloride	107-05-1
Aniline	62-53-3
Benzene	71-43-2
Biphenyl	92-52-4
Butadiene (1,3-)	106-99-0
Carbon tetrachloride	56-23-5
Chloroacetic acid	79-11-8
Chlorobenzene	108-90-7
2-Chloro-1,3-butadiene (Chloroprene)	126-99-8
Chloroform	67-66-3
m-Cresol	108-39-4
o-Cresol	95-48-7
p-Cresol	106-44-5
Cresols/cresylic acid	1319-77-3
Cumene	98-82-8
Dibenzofurans	132-64-9
Dibutylphthalate	84-74-2

Dichloroethane (1,2-) (Ethylene dichloride) (EDC)	107-06-2
Dichloropropene (1,3-)	542-75-6
Diethanolamine	111-42-2
Diethyl aniline (N,N-)	121-69-7
Diethylene glycol monobutyl ether	112-34-5
Diethylene glycol monomethyl ether	111-77-3
Diethyl sulfate	64-67-5
Dimethyl formamide	68-12-2
Dimethylhydrazine (1,1-)	57-14-7
Dioxane (1,4-) (1,4-Diethyleneoxide)	123-91-1
Epichlorohydrin (1-Chloro-2,3-epoxypropane)	106-89-8
Epoxybutane (1,2-)	106-88-7
Ethyl acrylate	140-88-5
Ethylbenzene	100-41-4
Ethyl chloride (Chloroethane)	75-00-3
Ethylene dibromide (Dibromomethane)	106-93-4
Ethylene glycol	107-21-1
Ethylene glycol dimethyl ether	110-71-4
Ethylene glycol monomethyl ether	109-86-4
Ethylene glycol monomethyl ether acetate	110-49-6
Ethylene glycol monophenyl ether	122-99-6
Ethylene oxide	75-21-8
Ethylidene dichloride (1,1-Dichloroethane)	75-34-3
Formaldehyde	50-00-0
Hexachloroethane	67-72-1
Hexane	110-54-3
Hydroquinone	123-31-9
Isophorone	78-59-1
Maleic anhydride	108-31-6
Methanol	67-56-1

Methyl chloride (Chloromethane)	74-87-3
Methylene chloride (Dichloromethane)	75-09-2
Methylenedianiline (4,4'-)	101-77-9
Methylene diphenyl diisocyanate	101-68-8
Methyl hydrazine	60-34-4
Methyl isobutyl ketone (Hexone) (MIBK)	108-10-1
Methyl methacrylate	80-62-6
Methyl tert-butyl ether (MTBE)	1634-04-4
Naphthalene	91-20-3
Nitrobenzene	98-95-3
Phenol	108-9-52
Phthalic anhydride	85-44-9
Polycyclic organic matter	50-32-8
Propionaldehyde	123-38-6
Propylene dichloride (1,2-Dichloropropane)	78-87-5
Propylene oxide	75-56-9
Quinoline	91-22-5
Styrene	100-42-5
Styrene oxide	96-09-3
Tetrachloroethane (1,1,2,2-)	79-34-5
Tetrachloroethylene (Perchloroethylene)	127-18-4
Toluene	108-88-3
Toluene diisocyanate (2,4-)	584-84-9
o-Toluidine	95-53-4
Trichlorobenzene (1,2,4-)	120-82-1
Trichloroethane (1,1,1-) (Methyl chloroform)	71-55-6
Trichloroethane (1,1,2-) (Vinyl trichloride)	79-00-5
Trichloroethylene	79-01-6
Triethylamine	121-44-8
Trimethylpentane (2,2,4-)	540-84-1

Vinyl acetate	108-05-4
Vinyl chloride (Chloroethylene)	75-01-4
Vinylidene chloride (1,1-Dichloroethylene)	75-35-4
Xylene (m-)	108-38-3
Xylene (o-)	95-47-6
Xylene (p-)	106-42-3
Xylenes (isomers and mixtures)	1330-20-7

<sup>1</sup>CAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42913, July 28, 2006]

**Table 2 to Subpart EEEE of Part 63—Emission Limits**

As stated in §63.2346, you must comply with the emission limits for the organic liquids distribution emission sources as follows:

<b>If you own or operate . . .</b>	<b>And if . . .</b>	<b>Then you must . . .</b>
1. A storage tank at an existing affected source with a capacity $\geq$ 18.9 cubic meters (5,000 gallons) and $<$ 189.3 cubic meters (50,000 gallons).	a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is $\geq$ 27.6 kilopascals (4.0 psia) and $<$ 76.6 kilopascals (11.1 psia).	i. Reduce emissions of total organic HAP (or, upon approval, TOC) by at least 95 weight-percent or, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air, by venting emissions through a closed vent system to any combination of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS; OR
		ii. Comply with the work practice standards specified in table 4 to this subpart, items 1.a, 1.b, or 1.c for tanks storing liquids described in that table.
	b. The stored organic liquid is crude oil.	i. See the requirement in item 1.a.i or 1.a.ii of this table.
2. A storage tank at an existing affected source with a capacity $\geq$ 189.3 cubic	a. The stored organic liquid is not crude oil and if the annual average true	i. See the requirement in item 1.a.i or 1.a.ii of this table.

meters (50,000 gallons).	vapor pressure of the total Table 1 organic HAP in the stored organic liquid is <76.6 kilopascals (11.1 psia).	
	b. The stored organic liquid is crude oil.	i. See the requirement in item 1.a.i or 1.a.ii of this table.
3. A storage tank at a reconstructed or new affected source with a capacity $\geq$ 18.9 cubic meters (5,000 gallons) and <37.9 cubic meters (10,000 gallons).	a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is $\geq$ 27.6 kilopascals (4.0 psia) and <76.6 kilopascals (11.1 psia).	i. See the requirement in item 1.a.i or 1.a.ii of this table.
	b. The stored organic liquid is crude oil.	i. See the requirement in item 1.a.i or 1.a.ii of this table.
4. A storage tank at a reconstructed or new affected source with a capacity $\geq$ 37.9 cubic meters (10,000 gallons) and <189.3 cubic meters (50,000 gallons).	a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is $\geq$ 0.7 kilopascals (0.1 psia) and <76.6 kilopascals (11.1 psia).	i. See the requirement in item 1.a.i or 1.a.ii of this table.
	b. The stored organic liquid is crude oil.	i. See the requirement in item 1.a.i or 1.a.ii of this table.
5. A storage tank at a reconstructed or new affected source with a capacity $\geq$ 189.3 cubic meters (50,000 gallons).	a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is <76.6 kilopascals (11.1 psia).	i. See the requirement in item 1.a.i or 1.a.ii of this table.
	b. The stored organic liquid is crude oil.	i. See the requirement in item 1.a.i or 1.a.ii of this table.
6. A storage tank at an existing, reconstructed, or	a. The stored organic liquid is not crude oil and	i. Reduce emissions of total organic HAP (or, upon approval, TOC) by at

<p>new affected source meeting the capacity criteria specified in table 2 of this subpart, items 1 through 5.</p>	<p>if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is <math>\geq 76.6</math> kilopascals (11.1 psia).</p>	<p>least 95 weight-percent or, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air, by venting emissions through a closed vent system to any combination of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS; OR</p>
		<p>ii. Comply with the work practice standards specified in table 4 to this subpart, item 2.a, for tanks storing the liquids described in that table.</p>
<p>7. A transfer rack at an existing facility where the total actual annual facility-level organic liquid loading volume through transfer racks is equal to or greater than 800,000 gallons and less than 10 million gallons.</p>	<p>a. The total table 1 organic HAP content of the organic liquid being loaded through one or more of the transfer rack's arms is at least 98 percent by weight and is being loaded into a transport vehicle.</p>	<p>i. For all such loading arms at the rack, reduce emissions of total organic HAP (or, upon approval, TOC) from the loading of organic liquids either by venting the emissions that occur during loading through a closed vent system to any combination of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS, achieving at least 98 weight-percent HAP reduction, OR, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air; OR</p>
		<p>ii. During the loading of organic liquids, comply with the work practice standards specified in item 3 of table 4 to this subpart.</p>
<p>8. A transfer rack at an existing facility where the total actual annual facility-level organic liquid loading volume through transfer racks is <math>\geq 10</math> million gallons.</p>	<p>a. One or more of the transfer rack's arms is loading an organic liquid into a transport vehicle.</p>	<p>i. See the requirements in items 7.a.i and 7.a.ii of this table.</p>
<p>9. A transfer rack at a new</p>	<p>a. The total table 1 organic</p>	<p>i. See the requirements in items 7.a.i</p>

<p>facility where the total actual annual facility-level organic liquid loading volume through transfer racks is less than 800,000 gallons.</p>	<p>HAP content of the organic liquid being loaded through one or more of the transfer rack's arms is at least 25 percent by weight and is being loaded into a transport vehicle.</p>	<p>and 7.a.ii of this table.</p>
	<p>b. One or more of the transfer rack's arms is filling a container with a capacity equal to or greater than 55 gallons.</p>	<p>i. For all such loading arms at the rack during the loading of organic liquids, comply with the provisions of §§63.924 through 63.927 of 40 CFR part 63, Subpart PP—National Emission Standards for Containers, Container Level 3 controls; OR</p>
		<p>ii. During the loading of organic liquids, comply with the work practice standards specified in item 3.a of table 4 to this subpart.</p>
<p>10. A transfer rack at a new facility where the total actual annual facility-level organic liquid loading volume through transfer racks is equal to or greater than 800,000 gallons.</p>	<p>a. One or more of the transfer rack's arms is loading an organic liquid into a transport vehicle.</p>	<p>i. See the requirements in items 7.a.i and 7.a.ii of this table.</p>
	<p>b. One or more of the transfer rack's arms is filling a container with a capacity equal to or greater than 55 gallons.</p>	<p>i. For all such loading arms at the rack during the loading of organic liquids, comply with the provisions of §§63.924 through 63.927 of 40 CFR part 63, Subpart PP—National Emission Standards for Containers, Container Level 3 controls; OR</p>
		<p>ii. During the loading of organic liquids, comply with the work practice standards specified in item 3.a of table 4 to this subpart.</p>

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**Table 3 to Subpart EEEE of Part 63—Operating Limits—High Throughput Transfer Racks**

As stated in §63.2346(e), you must comply with the operating limits for existing, reconstructed, or new affected sources as follows:

<b>For each existing, each reconstructed, and each new affected source using . . .</b>	<b>You must . . .</b>
1. A thermal oxidizer to comply with an emission limit in table 2 to this subpart	Maintain the daily average fire box or combustion zone temperature greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.
2. A catalytic oxidizer to comply with an emission limit in table 2 to this subpart	a. Replace the existing catalyst bed before the age of the bed exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND
	b. Maintain the daily average temperature at the inlet of the catalyst bed greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND
	c. Maintain the daily average temperature difference across the catalyst bed greater than or equal to the minimum temperature difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.
3. An absorber to comply with an emission limit in table 2 to this subpart	a. Maintain the daily average concentration level of organic compounds in the absorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR
	b. Maintain the daily average scrubbing liquid temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND
	Maintain the difference between the specific gravities of the saturated and fresh scrubbing fluids greater than or equal to the difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.
4. A condenser to comply with an emission limit in table 2 to this subpart	a. Maintain the daily average concentration level of organic compounds at the condenser exit less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR

	b. Maintain the daily average condenser exit temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.
5. An adsorption system with adsorbent regeneration to comply with an emission limit in table 2 to this subpart	a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR
	b. Maintain the total regeneration stream mass flow during the adsorption bed regeneration cycle greater than or equal to the reference stream mass flow established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND
	Before the adsorption cycle commences, achieve and maintain the temperature of the adsorption bed after regeneration less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND
	Achieve a pressure reduction during each adsorption bed regeneration cycle greater than or equal to the pressure reduction established during the design evaluation or performance test that demonstrated compliance with the emission limit.
6. An adsorption system without adsorbent regeneration to comply with an emission limit in table 2 to this subpart	a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR
	b. Replace the existing adsorbent in each segment of the bed with an adsorbent that meets the replacement specifications established during the design evaluation or performance test before the age of the adsorbent exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND
	Maintain the temperature of the adsorption bed less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.
7. A flare to comply with an emission limit in table 2 to this subpart	a. Comply with the equipment and operating requirements in §63.987(a); AND b. Conduct an initial flare compliance assessment in accordance with §63.987(b); AND

	c. Install and operate monitoring equipment as specified in §63.987(c).
8. Another type of control device to comply with an emission limit in table 2 to this subpart	Submit a monitoring plan as specified in §§63.995(c) and 63.2366(b), and monitor the control device in accordance with that plan.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42914, July 28, 2006]

**Table 4 to Subpart EEEE of Part 63—Work Practice Standards**

As stated in §63.2346, you may elect to comply with one of the work practice standards for existing, reconstructed, or new affected sources in the following table. If you elect to do so, . . .

<b>For each . . .</b>	<b>You must . . .</b>
1. Storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and organic HAP vapor pressure criteria specified in table 2 to this subpart, items 1 through 5	a. Comply with the requirements of 40 CFR part 63, subpart WW (control level 2), if you elect to meet 40 CFR part 63, subpart WW (control level 2) requirements as an alternative to the emission limit in table 2 to this subpart, items 1 through 5; OR
	b. Comply with the requirements of §63.984 for routing emissions to a fuel gas system or back to a process; OR
	c. Comply with the requirements of §63.2346(a)(4) for vapor balancing emissions to the transport vehicle from which the storage tank is filled.
2. Storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and organic HAP vapor pressure criteria specified in table 2 to this subpart, item 6	a. Comply with the requirements of §63.984 for routing emissions to a fuel gas system or back to a process; OR b. Comply with the requirements of §63.2346(a)(4) for vapor balancing emissions to the transport vehicle from which the storage tank is filled.
3. Transfer rack subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source	a. If the option of a vapor balancing system is selected, install and, during the loading of organic liquids, operate a system that meets the requirements in table 7 to this subpart, item 3.b.i and item 3.b.ii, as applicable; OR
	b. Comply with the requirements of §63.984 during the loading of organic liquids, for routing emissions to a fuel gas system or back to a process.
4. Pump, valve, and sampling	Comply with the requirements for pumps, valves, and

connection that operates in organic liquids service at least 300 hours per year at an existing, reconstructed, or new affected source	sampling connections in 40 CFR part 63, subpart TT (control level 1), subpart UU (control level 2), or subpart H.
5. Transport vehicles equipped with vapor collection equipment that are loaded at transfer racks that are subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10	Follow the steps in 40 CFR 60.502(e) to ensure that organic liquids are loaded only into vapor-tight transport vehicles, and comply with the provisions in 40 CFR 60.502(f), (g), (h), and (i), except substitute the term transport vehicle at each occurrence of tank truck or gasoline tank truck in those paragraphs.
6. Transport vehicles equipped without vapor collection equipment that are loaded at transfer racks that are subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10	Ensure that organic liquids are loaded only into transport vehicles that have a current certification in accordance with the U.S. DOT pressure test requirements in 49 CFR 180 (cargo tanks) or 49 CFR 173.31 (tank cars).

[71 FR 42915, July 28, 2006]

**Table 5 to Subpart EEEE of Part 63—Requirements for Performance Tests and Design Evaluations**

As stated in §§63.2354(a) and 63.2362, you must comply with the requirements for performance tests and design evaluations for existing, reconstructed, or new affected sources as follows:

<b>For ...</b>	<b>You must conduct ...</b>	<b>According to ...</b>	<b>Using ...</b>	<b>To determine ...</b>	<b>According to the following requirements . . .</b>
1. Each existing, each reconstructed, and each new affected source using a nonflare control device to comply with an emission limit in table 2 to this subpart, items 1 through 10	a. A performance test to determine the organic HAP (or, upon approval, TOC) control efficiency of each nonflare control device, OR the exhaust concentration of each	i. §63.985(b)(1)(ii), §63.988(b), §63.990(b), or §63.995(b)	(1) EPA Method 1 or 1A in appendix A of 40 CFR part 60, as appropriate	(A) Sampling port locations and the required number of traverse points	(i) Sampling sites must be located at the inlet and outlet of each control device if complying with the control efficiency requirement or at the outlet of the control device if complying

	combustion device; OR				with the exhaust concentration requirement; AND (ii) The outlet sampling site must be located at each control device prior to any releases to the atmosphere.
			(2) EPA Method 2, 2A, 2C, 2D, 2F, or 2G in appendix A of 40 CFR part 60, as appropriate	(A) Stack gas velocity and volumetric flow rate	See the requirements in items 1.a.i.(1)(A)(i) and (ii) of this table.
			(3) EPA Method 3 or 3B in appendix A of 40 CFR part 60, as appropriate	(A) Concentration of CO <sub>2</sub> and O <sub>2</sub> and dry molecular weight of the stack gas	See the requirements in items 1.a.i.(1)(A)(i) and (ii) of this table.
			(4) EPA Method 4 in appendix A of 40 CFR part 60	(A) Moisture content of the stack gas	See the requirements in items 1.a.i.(1)(A)(i) and (ii) of this table.
			(5) EPA Method 18, 25, or 25A in appendix A of 40 CFR part 60, as appropriate, or EPA Method 316 in appendix A of 40 CFR part 63 for measuring formaldehyde	(A) Total organic HAP (or, upon approval, TOC), or formaldehyde emissions	(i) The organic HAP used for the calibration gas for EPA Method 25A must be the single organic HAP representing the largest percent by volume of

					emissions; AND (ii) During the performance test, you must establish the operating parameter limits within which total organic HAP (or, upon approval, TOC) emissions are reduced by the required weight-percent or, as an option for nonflare combustion devices, to 20 ppmv exhaust concentration.
		b. A design evaluation (for nonflare control devices) to determine the organic HAP (or, upon approval, TOC) control efficiency of each nonflare control device, or the exhaust concentration of each combustion control device.	§63.985(b)(1)(i).		During a design evaluation, you must establish the operating parameter limits within which total organic HAP, (or, upon approval, TOC) emissions are reduced by at least 95 weight-percent for storage tanks or 98 weight-percent for transfer racks, or, as an

					option for nonflare combustion devices, to 20 ppmv exhaust concentration.
2. Each transport vehicle that you own that is equipped with vapor collection equipment and is loaded with organic liquids at a transfer rack that is subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source	A performance test to determine the vapor tightness of the tank and then repair as needed until it passes the test.		EPA Method 27 in appendix A of 40 CFR part 60	Vapor tightness	The pressure change in the tank must be no more than 250 pascals (1 inch of water) in 5 minutes after it is pressurized to 4,500 pascals (18 inches of water).

[71 FR 42916, July 28, 2006]

**Table 6 to Subpart EEEE of Part 63—Initial Compliance With Emission Limits**

As stated in §§63.2370(a) and 63.2382(b), you must show initial compliance with the emission limits for existing, reconstructed, or new affected sources as follows:

<b>For each . . .</b>	<b>For the following emission limit . . .</b>	<b>You have demonstrated initial compliance if . . .</b>
1. Storage tank at an existing, reconstructed, or new affected source meeting either set of tank capacity and liquid organic	Reduce total organic HAP (or, upon approval, TOC) emissions by at least 95 weight-percent, or as an option for combustion	Total organic HAP (or, upon approval, TOC) emissions, based on the results of the performance testing or design evaluation specified in table 5 to this subpart, item 1.a or 1.b,

HAP vapor pressure criteria specified in table 2 to this subpart, items 1 through 6	devices to an exhaust concentration of $\leq 20$ ppmv	respectively, are reduced by at least 95 weight-percent or as an option for nonflare combustion devices to an exhaust concentration $\leq 20$ ppmv.
2. Transfer rack that is subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source	Reduce total organic HAP (or, upon approval, TOC) emissions from the loading of organic liquids by at least 98 weight-percent, or as an option for nonflare combustion devices to an exhaust concentration of $\leq 20$ ppmv	Total organic HAP (or, upon approval, TOC) emissions from the loading of organic liquids, based on the results of the performance testing or design evaluation specified in table 5 to this subpart, item 1.a or 1.b, respectively, are reduced by at least 98 weight-percent or as an option for nonflare combustion devices to an exhaust concentration of $\leq 20$ ppmv.

[71 FR 42918, July 28, 2006]

**Table 7 to Subpart EEEE of Part 63—Initial Compliance With Work Practice Standards**

<b>For each . . .</b>	<b>If you . . .</b>	<b>You have demonstrated initial compliance if . . .</b>
1. Storage tank at an existing affected source meeting either set of tank capacity and liquid organic HAP vapor pressure criteria specified in table 2 to this subpart, items 1 or 2	a. Install a floating roof or equivalent control that meets the requirements in table 4 to this subpart, item 1.a	i. After emptying and degassing, you visually inspect each internal floating roof before the refilling of the storage tank and perform seal gap inspections of the primary and secondary rim seals of each external floating roof within 90 days after the refilling of the storage tank.
	b. Route emissions to a fuel gas system or back to a process	i. You meet the requirements in §63.984(b) and submit the statement of connection required by §63.984(c).
	c. Install and, during the filling of the storage tank with organic liquids, operate a vapor balancing system	i. You meet the requirements in §3.2346(a)(4).
2. Storage tank at a reconstructed or new affected source meeting any set of tank capacity and liquid organic HAP vapor pressure criteria specified in	a. Install a floating roof or equivalent control that meets the requirements in table 4 to this subpart, item 1.a	i. You visually inspect each internal floating roof before the initial filling of the storage tank, and perform seal gap inspections of the primary and secondary rim seals of each external floating roof within 90 days after the initial filling of

table 2 to this subpart, items 3 through 5		the storage tank.
	b. Route emissions to a fuel gas system or back to a process	i. See item 1.b.i of this table.
	c. Install and, during the filling of the storage tank with organic liquids, operate a vapor balancing system	i. See item 1.c.i of this table.
3. Transfer rack that is subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source	a. Load organic liquids only into transport vehicles having current vapor tightness certification as described in table 4 to this subpart, item 5 and item 6	i. You comply with the provisions specified in table 4 to this subpart, item 5 or item 6, as applicable.
	b. Install and, during the loading of organic liquids, operate a vapor balancing system	i. You design and operate the vapor balancing system to route organic HAP vapors displaced from loading of organic liquids into transport vehicles to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header. ii. You design and operate the vapor balancing system to route organic HAP vapors displaced from loading of organic liquids into containers directly (e.g., no intervening tank or containment area such as a room) to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.
	c. Route emissions to a fuel gas system or back to a process	i. See item 1.b.i of this table.
4. Equipment leak component, as defined in §63.2406, that operates in organic liquids service $\geq 300$ hours per year at an existing, reconstructed, or new affected source	a. Carry out a leak detection and repair program or equivalent control according to one of the subparts listed in table 4 to this subpart, item 4.a	i. You specify which one of the control programs listed in table 4 to this subpart you have selected, OR ii. Provide written specifications for your equivalent control approach.

[71 FR 42918, July 28, 2006]

**Table 8 to Subpart EEEE of Part 63—Continuous Compliance With Emission Limits**

As stated in §§63.2378(a) and (b) and 63.2390(b), you must show continuous compliance with the emission limits for existing, reconstructed, or new affected sources according to the following table:

<b>For each . . .</b>	<b>For the following emission limit . . .</b>	<b>You must demonstrate continuous compliance by . . .</b>
1. Storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and liquid organic HAP vapor pressure criteria specified in table 2 to this subpart, items 1 through 6	a. Reduce total organic HAP (or, upon approval, TOC) emissions from the closed vent system and control device by 95 weight-percent or greater, or as an option to 20 ppmv or less of total organic HAP (or, upon approval, TOC) in the exhaust of combustion devices	i. Performing CMS monitoring and collecting data according to §§63.2366, 63.2374, and 63.2378; AND ii. Maintaining the operating limits established during the design evaluation or performance test that demonstrated compliance with the emission limit.
2. Transfer rack that is subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source	a. Reduce total organic HAP (or, upon approval, TOC) emissions during the loading of organic liquids from the closed vent system and control device by 98 weight-percent or greater, or as an option to 20 ppmv or less of total organic HAP (or, upon approval, TOC) in the exhaust of combustion devices	i. Performing CMS monitoring and collecting data according to §§63.2366, 63.2374, and 63.2378 during the loading of organic liquids; AND ii. Maintaining the operating limits established during the design evaluation or performance test that demonstrated compliance with the emission limit during the loading of organic liquids.

[71 FR 42919, July 28, 2006]

**Table 9 to Subpart EEEE of Part 63—Continuous Compliance With Operating Limits—High Throughput Transfer Racks**

As stated in §§63.2378(a) and (b) and 63.2390(b), you must show continuous compliance with the operating limits for existing, reconstructed, or new affected sources according to the following table:

<b>For each existing, reconstructed, and</b>	<b>For the following operating limit . . .</b>	<b>You must demonstrate continuous compliance by . . .</b>
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each new affected source using . . .		
1. A thermal oxidizer to comply with an emission limit in table 2 to this subpart.	a. Maintain the daily average fire box or combustion zone, as applicable, temperature greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.	i. Continuously monitoring and recording fire box or combustion zone, as applicable, temperature every 15 minutes and maintaining the daily average fire box temperature greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
2. A catalytic oxidizer to comply with an emission limit in table 2 to this subpart.	a. Replace the existing catalyst bed before the age of the bed exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND	i. Replacing the existing catalyst bed before the age of the bed exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
	b. Maintain the daily average temperature at the inlet of the catalyst bed greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND	i. Continuously monitoring and recording the temperature at the inlet of the catalyst bed at least every 15 minutes and maintaining the daily average temperature at the inlet of the catalyst bed greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
	c. Maintain the daily average temperature difference across the catalyst bed greater than or equal to the minimum temperature difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.	i. Continuously monitoring and recording the temperature at the outlet of the catalyst bed every 15 minutes and maintaining the daily average temperature difference across the catalyst bed greater than or equal to the minimum temperature difference established during the

		design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
3. An absorber to comply with an emission limit in table 2 to this subpart.	a. Maintain the daily average concentration level of organic compounds in the absorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR	i. Continuously monitoring the organic concentration in the absorber exhaust and maintaining the daily average concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
	b. Maintain the daily average scrubbing liquid temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND Maintain the difference between the specific gravities of the saturated and fresh scrubbing fluids greater than or equal to the difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.	i. Continuously monitoring the scrubbing liquid temperature and maintaining the daily average temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Maintaining the difference between the specific gravities greater than or equal to the difference established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND iii. Keeping the applicable records required in §63.998.
4. A condenser to comply with an emission limit in table 2 to this subpart.	a. Maintain the daily average concentration level of organic compounds at the exit of the condenser less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR	i. Continuously monitoring the organic concentration at the condenser exit and maintaining the daily average concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records

		required in §63.998.
	b. Maintain the daily average condenser exit temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.	i. Continuously monitoring and recording the temperature at the exit of the condenser at least every 15 minutes and maintaining the daily average temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
5. An adsorption system with adsorbent regeneration to comply with an emission limit in table 2 to this subpart.	a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR	i. Continuously monitoring the daily average organic concentration in the adsorber exhaust and maintaining the concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
	b. Maintain the total regeneration stream mass flow during the adsorption bed regeneration cycle greater than or equal to the reference stream mass flow established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND Before the adsorption cycle commences, achieve and maintain the temperature of the adsorption bed after regeneration less than or equal to the reference temperature established during the design evaluation or performance test; AND Achieve greater than or equal to the pressure reduction during the adsorption bed regeneration cycle	i. Maintaining the total regeneration stream mass flow during the adsorption bed regeneration cycle greater than or equal to the reference stream mass flow established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Maintaining the temperature of the adsorption bed after regeneration less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND iii. Achieving greater than or equal to the pressure reduction during the regeneration cycle established during the design evaluation or performance test that demonstrated compliance

	established during the design evaluation or performance test that demonstrated compliance with the emission limit.	with the emission limit; AND iv. Keeping the applicable records required in §63.998.
6. An adsorption system without adsorbent regeneration to comply with an emission limit in table 2 to this subpart.	a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR	i. Continuously monitoring the organic concentration in the adsorber exhaust and maintaining the concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Keeping the applicable records required in §63.998.
	b. Replace the existing adsorbent in each segment of the bed before the age of the adsorbent exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND Maintain the temperature of the adsorption bed less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.	i. Replacing the existing adsorbent in each segment of the bed with an adsorbent that meets the replacement specifications established during the design evaluation or performance test before the age of the adsorbent exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND ii. Maintaining the temperature of the adsorption bed less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND iii. Keeping the applicable records required in §63.998.
7. A flare to comply with an emission limit in table 2 to this subpart.	a. Maintain a pilot flame in the flare at all times that vapors may be vented to the flare (§63.11(b)(5)); AND	i. Continuously operating a device that detects the presence of the pilot flame; AND ii. Keeping the applicable records required in §63.998.
	b. Maintain a flare flame at all times that vapors are being vented to the flare (§63.11(b)(5)); AND	i. Maintaining a flare flame at all times that vapors are being vented to the flare; AND ii. Keeping the applicable records

		required in §63.998.
	c. Operate the flare with no visible emissions, except for up to 5 minutes in any 2 consecutive hours (§63.11(b)(4)); AND EITHER	i. Operating the flare with no visible emissions exceeding the amount allowed; AND ii. Keeping the applicable records required in §63.998.
	d.1. Operate the flare with an exit velocity that is within the applicable limits in §63.11(b)(7) and (8) and with a net heating value of the gas being combusted greater than the applicable minimum value in §63.11(b)(6)(ii); OR	i. Operating the flare within the applicable exit velocity limits; AND ii. Operating the flare with the gas heating value greater than the applicable minimum value; AND iii. Keeping the applicable records required in §63.998.
	d.2. Adhere to the requirements in §63.11(b)(6)(i).	i. Operating the flare within the applicable limits in 63.11(b)(6)(i); AND ii. Keeping the applicable records required in §63.998.
8. Another type of control device to comply with an emission limit in table 2 to this subpart.	Submit a monitoring plan as specified in §§63.995(c) and 63.2366(c), and monitor the control device in accordance with that plan.	Submitting a monitoring plan and monitoring the control device according to that plan.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42919, July 28, 2006]

**Table 10 to Subpart EEEE of Part 63—Continuous Compliance With Work Practice Standards**

As stated in §§63.2378(a) and (b) and 63.2386(c)(6), you must show continuous compliance with the work practice standards for existing, reconstructed, or new affected sources according to the following table:

<b>For each . . .</b>	<b>For the following standard . . .</b>	<b>You must demonstrate continuous compliance by . . .</b>
1. Internal floating roof (IFR) storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity, and vapor pressure criteria specified in table 2 to this subpart, items 1 through 5.	a. Install a floating roof designed and operated according to the applicable specifications in §63.1063(a) and (b).	i. Visually inspecting the floating roof deck, deck fittings, and rim seals of each IFR once per year (§63.1063(d)(2)); AND ii. Visually inspecting the floating roof deck, deck fittings, and rim seals of each IFR either each time the storage tank is completely emptied and degassed or every 10 years, whichever occurs first

		(§63.1063(c)(1), (d)(1), and (e)); AND iii. Keeping the tank records required in §63.1065.
2. External floating roof (EFR) storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and vapor pressure criteria specified in table 2 to this subpart, items 1 through 5.	a. Install a floating roof designed and operated according to the applicable specifications in §63.1063(a) and (b).	i. Visually inspecting the floating roof deck, deck fittings, and rim seals of each EFR either each time the storage tank is completely emptied and degassed or every 10 years, whichever occurs first (§63.1063(c)(2), (d), and (e)); AND ii. Performing seal gap measurements on the secondary seal of each EFR at least once every year, and on the primary seal of each EFR at least every 5 years (§63.1063(c)(2), (d), and (e)); AND iii. Keeping the tank records required in §63.1065.
3. IFR or EFR tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and vapor pressure criteria specified in table 2 to this subpart, items 1 through 5.	a. Repair the conditions causing storage tank inspection failures (§63.1063(e)).	i. Repairing conditions causing inspection failures: before refilling the storage tank with organic liquid, or within 45 days (or up to 105 days with extensions) for a tank containing organic liquid; AND ii. Keeping the tank records required in §63.1065(b).
4. Transfer rack that is subject to control based on the criteria specified in table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source.	a. Ensure that organic liquids are loaded into transport vehicles in accordance with the requirements in table 4 to this subpart, items 5 or 6, as applicable.	i. Ensuring that organic liquids are loaded into transport vehicles in accordance with the requirements in table 4 to this subpart, items 5 or 6, as applicable.
	b. Install and, during the loading of organic liquids, operate a vapor balancing system.	i. Monitoring each potential source of vapor leakage in the system quarterly during the loading of a transport vehicle or the filling of a container using the methods and procedures described in the rule requirements selected for the work practice standard for equipment leak components as specified in table 4 to this subpart, item 4. An instrument reading of 500 ppmv defines a leak. Repair of leaks is performed according to the repair requirements specified in your selected

		equipment leak standards.
	c. Route emissions to a fuel gas system or back to a process.	i. Continuing to meet the requirements specified in §63.984(b).
5. Equipment leak component, as defined in §63.2406, that operates in organic liquids service at least 300 hours per year.	a. Comply with the requirements of 40 CFR part 63, subpart TT, UU, or H.	i. Carrying out a leak detection and repair program in accordance with the subpart selected from the list in item 5.a of this table.
6. Storage tank at an existing, reconstructed, or new affected source meeting any of the tank capacity and vapor pressure criteria specified in table 2 to this subpart, items 1 through 6.	a. Route emissions to a fuel gas system or back to the process.	i. Continuing to meet the requirements specified in §63.984(b).
	b. Install and, during the filling of the storage tank with organic liquids, operate a vapor balancing system.	i. Monitoring each potential source of vapor leakage in the system quarterly during the loading of a transport vehicle or the filling of a container using the methods and procedures described in the rule requirements selected for the work practice standard for equipment leak components as specified in table 4 to this subpart, item 4. An instrument reading of 500 ppmv defines a leak. Repair of leaks is performed according to the repair requirements specified in your selected equipment leak standards.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42922, July 28, 2006]

**Table 11 to Subpart EEEE of Part 63—Requirements for Reports**

As stated in §63.2386(a), (b), and (f), you must submit compliance reports and startup, shutdown, and malfunction reports according to the following table:

<b>You must submit a(n) . . .</b>	<b>The report must contain . . .</b>	<b>You must submit the report . . .</b>
1. Compliance report or Periodic Report	a. The information specified in §63.2386(c), (d), (e). If you had a SSM during the reporting period and you took actions consistent	Semiannually, and it must be postmarked by January 31 or July 31, in accordance with §63.2386(b).

	with your SSM plan, the report must also include the information in §63.10(d)(5)(i); AND	
	b. The information required by 40 CFR part 63, subpart TT, UU, or H, as applicable, for pumps, valves, and sampling connections; AND	See the submission requirement in item 1.a of this table.
	c. The information required by §63.999(c); AND	See the submission requirement in item 1.a of this table.
	d. The information specified in §63.1066(b) including: Notification of inspection, inspection results, requests for alternate devices, and requests for extensions, as applicable.	See the submission requirement in item 1.a. of this table.
2. Immediate SSM report if you had a SSM that resulted in an applicable emission standard in the relevant standard being exceeded, and you took an action that was not consistent with your SSM plan	a. The information required in §63.10(d)(5)(ii)	i. By letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authority (§63.10(d)(5)(ii)).

[71 FR 42923, July 28, 2006]

**Table 12 to Subpart EEEE of Part 63—Applicability of General Provisions to Subpart EEEE**

As stated in §§63.2382 and 63.2398, you must comply with the applicable General Provisions requirements as follows:

<b>Citation</b>	<b>Subject</b>	<b>Brief description</b>	<b>Applies to subpart EEEE</b>
§63.1	Applicability	Initial applicability determination; Applicability after standard established; Permit requirements; Extensions, Notifications	Yes.
§63.2	Definitions	Definitions for part 63	Yes.

		standards	
§63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§63.4	Prohibited Activities and Circumvention	Prohibited activities; Circumvention, Severability	Yes.
§63.5	Construction/Reconstruction	Applicability; Applications; Approvals	Yes.
§63.6(a)	Compliance with Standards/O&M Applicability	GP apply unless compliance extension; GP apply to area sources that become major	Yes.
§63.6(b)(1)–(4)	Compliance Dates for New and Reconstructed Sources	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for section 112(f)	Yes.
§63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal	Yes.
§63.6(b)(6)	[Reserved].		
§63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source	Yes.
§63.6(c)(1)–(2)	Compliance Dates for Existing Sources	Comply according to date in this subpart, which must be no later than 3 years after effective date; for section 112(f) standards, comply within 90 days of effective date unless compliance extension	Yes.

§63.6(c)(3)–(4)	[Reserved].		
§63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major	Area sources that become major must comply with major source standards by date indicated in this subpart or by equivalent time period ( <i>e.g.</i> , 3 years)	Yes.
§63.6(d)	[Reserved].		
§63.6(e)(1)	Operation & Maintenance	Operate to minimize emissions at all times; correct malfunctions as soon as practicable; and operation and maintenance requirements independently enforceable; information Administrator will use to determine if operation and maintenance requirements were met	Yes.
§63.6(e)(2)	[Reserved].		
§63.6(e)(3)	SSM Plan	Requirement for SSM plan; content of SSM plan; actions during SSM	Yes; however, (1) the 2-day reporting requirement in paragraph §63.6(e)(3)(iv) does not apply and (2) §63.6(e)(3) does not apply to emissions sources not requiring control.
§63.6(f)(1)	Compliance Except During SSM	You must comply with emission standards at all times except during SSM	Yes.
§63.6(f)(2)–(3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection	Yes.
§63.6(g)(1)–(3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§63.6(h)	Opacity/Visible Emission	Requirements for	No; except as it

	Standards	compliance with opacity and visible emission standards	applies to flares for which Method 22 observations are required as part of a flare compliance assessment.
§63.6(i)(1)–(14)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension	Yes.
§63.6(j)	Presidential Compliance Exemption	President may exempt any source from requirement to comply with this subpart	Yes.
§63.7(a)(2)	Performance Test Dates	Dates for conducting initial performance testing; must conduct 180 days after compliance date	Yes.
§63.7(a)(3)	Section 114 Authority	Adminsitator may require a performance test under CAA section 114 at any time	Yes.
§63.7(b)(1)	Notification of Performance Test	Must notify Administrator 60 days before the test	Yes.
§63.7(b)(2)	Notification of Rescheduling	If you have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay	Yes.
§63.7(c)	Quality Assurance (QA)/Test Plan	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing	Yes.
§63.7(d)	Testing Facilities	Requirements for testing facilities	Yes.
§63.7(e)(1)	Conditions for Conducting	Performance tests must be	Yes.

	Performance Tests	conducted under representative conditions; cannot conduct performance tests during SSM	
§63.7(e)(2)	Conditions for Conducting Performance Tests	Must conduct according to this subpart and EPA test methods unless Administrator approves alternative	Yes.
§63.7(e)(3)	Test Run Duration	Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used	Yes; however, for transfer racks per §§63.987(b)(3)(i)(A)–(B) and 63.997(e)(1)(v)(A)–(B) provide exceptions to the requirement for test runs to be at least 1 hour each.
§63.7(f)	Alternative Test Method	Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method	Yes.
§63.7(g)	Performance Test Data Analysis	Must include raw data in performance test report; must submit performance test data 60 days after end of test with the Notification of Compliance Status; keep data for 5 years	Yes; however, performance test data is to be submitted with the Notification of Compliance Status according to the schedule specified in §63.9(h)(1)–(6) below.
§63.7(h)	Waiver of Tests	Procedures for Administrator to waive performance test	Yes.
§63.8(a)(1)	Applicability of Monitoring Requirements	Subject to all monitoring requirements in standard	Yes.
§63.8(a)(2)	Performance Specifications	Performance Specifications	Yes.

		in appendix B of 40 CFR part 60 apply	
§63.8(a)(3)	[Reserved].		
§63.8(a)(4)	Monitoring of Flares	Monitoring requirements for flares in §63.11	Yes; however, monitoring requirements in §63.987(c) also apply.
§63.8(b)(1)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative	Yes.
§63.8(b)(2)–(3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing monitoring systems; must install on each affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup	Yes.
§63.8(c)(1)	Monitoring System Operation and Maintenance	Maintain monitoring system in a manner consistent with good air pollution control practices	Yes.
§63.8(c)(1)(i)–(iii)	Routine and Predictable SSM	Keep parts for routine repairs readily available; reporting requirements for SSM when action is described in SSM plan.	Yes.
§63.8(c)(2)–(3)	Monitoring System Installation	Must install to get representative emission or parameter measurements;	Yes.

		must verify operational status before or at performance test	
§63.8(c)(4)	CMS Requirements	CMS must be operating except during breakdown, out-of control, repair, maintenance, and high-level calibration drifts; COMS must have a minimum of one cycle of sampling and analysis for each successive 10-second period and one cycle of data recording for each successive 6-minute period; CEMS must have a minimum of one cycle of operation for each successive 15-minute period	Yes; however, COMS are not applicable.
§63.8(c)(5)	COMS Minimum Procedures	COMS minimum procedures	No.
§63.8(c)(6)–(8)	CMS Requirements	Zero and high level calibration check requirements. Out-of-control periods	Yes, but only applies for CEMS. 40 CFR part 63, subpart SS provides requirements for CPMS.
§63.8(d)	CMS Quality Control	Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions	Yes, but only applies for CEMS. 40 CFR part 63, subpart SS provides requirements for CPMS.
§63.8(e)	CMS Performance Evaluation	Notification, performance evaluation test plan, reports	Yes, but only applies for CEMS.
§63.8(f)(1)–(5)	Alternative Monitoring Method	Procedures for Administrator to approve alternative monitoring	Yes, but 40 CFR part 63, subpart SS also provides procedures for approval of CPMS.

§63.8(f)(6)	Alternative to Relative Accuracy Test	Procedures for Administrator to approve alternative relative accuracy tests for CEMS	Yes.
§63.8(g)	Data Reduction	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average	Yes; however, COMS are not applicable.
§63.9(a)	Notification Requirements	Applicability and State delegation	Yes.
§63.9(b)(1)–(2), (4)–(5)	Initial Notifications	Submit notification within 120 days after effective date; notification of intent to construct/reconstruct, notification of commencement of construction/reconstruction, notification of startup; contents of each	Yes.
§63.9(c)	Request for Compliance Extension	Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate (BACT/LAER)	Yes.
§63.9(d)	Notification of Special Compliance Requirements for New Sources	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date	Yes.
§63.9(e)	Notification of Performance Test	Notify Administrator 60 days prior	Yes.
§63.9(f)	Notification of VE/Opacity Test	Notify Administrator 30 days prior	No.
§63.9(g)	Additional Notifications When Using CMS	Notification of performance evaluation; notification about use of	Yes; however, there are no opacity standards.

		COMS data; notification that exceeded criterion for relative accuracy alternative	
§63.9(h)(1)–(6)	Notification of Compliance Status	Contents due 60 days after end of performance test or other compliance demonstration, except for opacity/visible emissions, which are due 30 days after; when to submit to Federal vs. State authority	Yes; however, (1) there are no opacity standards and (2) all initial Notification of Compliance Status, including all performance test data, are to be submitted at the same time, either within 240 days after the compliance date or within 60 days after the last performance test demonstrating compliance has been completed, whichever occurs first.
§63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change in when notifications must be submitted	Yes.
§63.9(j)	Change in Previous Information	Must submit within 15 days after the change	No. These changes will be reported in the first and subsequent compliance reports.
§63.10(a)	Recordkeeping/Reporting	Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source	Yes.
§63.10(b)(1)	Recordkeeping/Reporting	General requirements; keep all records readily available; keep for 5 years	Yes.
§63.10(b)(2)(i)–(iv)	Records Related to Startup, Shutdown, and Malfunction	Occurrence of each for operations (process	Yes.

		equipment); occurrence of each malfunction of air pollution control equipment; maintenance on air pollution control equipment; actions during SSM	
§63.10(b)(2)(vi)–(xi)	CMS Records	Malfunctions, inoperative, out-of-control periods	Yes.
§63.10(b)(2)(xii)	Records	Records when under waiver	Yes.
§63.10(b)(2)(xiii)	Records	Records when using alternative to relative accuracy test	Yes.
§63.10(b)(2)(xiv)	Records	All documentation supporting initial notification and notification of compliance status	Yes.
§63.10(b)(3)	Records	Applicability determinations	Yes.
§63.10(c)	Records	Additional records for CMS	Yes.
§63.10(d)(1)	General Reporting Requirements	Requirement to report	Yes.
§63.10(d)(2)	Report of Performance Test Results	When to submit to Federal or State authority	Yes.
§63.10(d)(3)	Reporting Opacity or VE Observations	What to report and when	Yes.
§63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension	Yes.
§63.10(d)(5)	SSM Reports	Contents and submission	Yes.
§63.10(e)(1)–(2)	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; 2–3 copies of COMS performance evaluation	Yes; however, COMS are not applicable.

§63.10(e)(3)(i)–(iii)	Reports	Schedule for reporting excess emissions and parameter monitor exceedance (now defined as deviations)	Yes; however, note that the title of the report is the compliance report; deviations include excess emissions and parameter exceedances.
§63.10(e)(3)(iv)–(v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions or parameter monitoring exceedance (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§63.8(c)(7)–(8) and 63.10(c)(5)–(13)	Yes.
§63.10(e)(3)(vi)–(viii)	Excess Emissions Report and Summary Report	Requirements for reporting excess emissions for CMS (now called deviations); requires all of the information in §§63.10(c)(5)–(13) and 63.8(c)(7)–(8)	Yes.
§63.10(e)(4)	Reporting COMS Data	Must submit COMS data with performance test data	No.
§63.10(f)	Waiver for Recordkeeping/Reporting	Procedures for Administrator to waive	Yes.
§63.11(b)	Flares	Requirements for flares	Yes; §63.987

			requirements apply, and the section references §63.11(b).
§63.12	Delegation	State authority to enforce standards	Yes.
§63.13	Addresses	Addresses where reports, notifications, and requests are sent	Yes.
§63.14	Incorporation by Reference	Test methods incorporated by reference	Yes.
§63.15	Availability of Information	Public and confidential information	Yes.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 20463, Apr. 20, 2006; 71 FR 42924, July 28, 2006]

**Indiana Department of Environmental Management**  
Office of Air Quality

Technical Support Document (TSD) for a New Source Review and Part 70 Operating Permit

**Source Background and Description**

Source Name:	Geocel Corporation
Source Location:	53280 Marina Drive, Elkhart, Indiana 46514
County:	Elkhart
SIC Code:	2891
Operation Permit No.:	T039-25572-00605
Permit Reviewer:	ERG/SE

The Office of Air Quality (OAQ) has reviewed the operating permit application from Geocel Corporation relating to the operation of a sealant, caulk, and adhesive manufacturing plant.

**History**

On November 21, 2007, Geocel Corporation submitted an application to the OAQ for an operating permit. Geocel Corporation has been operating under Exemption 039-19208-00605, issued September 1, 2004. Since the issuance of this exemption letter, Geocel Corporation has added two (2) solvent mixing tanks. This Part 70 permit is intended to incorporate the additional solvent mixing tanks and to correct inaccurate information included in the exemption.

**Emission Units and Pollution Control Equipment**

The source consists of the following emission units:

- (a) Pigmenting operations as follows:
  - (1) One (1) open-top mixing tank, constructed after 1975 and before 1982, used for the solvent-based pigmenting process, with emissions exhausting to the atmosphere, a total maximum throughput of 1,635 pounds of material per batch, and a processing time of two batches per hour.
  - (2) One (1) open-top mixing tank, constructed after 1975 and before 1982, used for the water-based pigmenting process, with emissions exhausting to the atmosphere, a total maximum throughput of 2,000 pounds of material per batch, and a processing time of three batches per day.
- (b) Six (6) solvent mixing tanks equipped with tight fitting lids, equipped with six (6) condensers to capture solvent, using closed loop piping to return the solvent to the mixing tanks for reuse. All six (6) solvent mixing tanks exhaust to a condenser (C1 through C5 and C7). Condensers C1 through C5 and condenser C7 exhaust to one (1) final condenser, C8. The condensers are considered an integral part of the process (see Air Pollution Control Justification as an Integral Part of the Process section below).
  - (1) One (1) solvent mixing tank identified as E1, installed in 1978, with a capacity of 1,000 gallons, equipped with a condenser C1.
  - (2) One (1) solvent mixing tank identified as E2, installed on 3/1/2003, with a capacity of 1,900 gallons, equipped with a condenser C2.

- (3) One (1) solvent mixing tank identified as E3, installed on 4/1/2005, with a capacity of 570 gallons, equipped with a condenser C3.
- (4) One (1) solvent mixing tank identified as E4, installed in 1990, with a capacity of 400 gallons, equipped with a condenser C4.
- (5) One (1) solvent mixing tank identified as E5, installed in 1982, with a capacity of 400 gallons, equipped with a condenser C5.
- (6) One (1) solvent mixing tank identified as E7, installed in 2003, with a capacity of 1,900 gallons, equipped with a condenser C7.

These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.

### Insignificant Activities

- (a) Cleaning operations for the solvent mixing tank as follows: cleaners and solvents having a vapor pressure less than two kilo Pascals (2.0 kPa) at thirty-eight degrees Centigrade (38°C) and less than seven-tenths kilo Pascals (0.7 kPa) at twenty degrees Centigrade (20°C) where the use of which, for all cleaners and solvents combined, does not exceed one hundred forty-five (145) gallons per twelve (12) consecutive month period.
- (b) Blended product holding tanks as follows: storage tanks with capacity less than or equal to one thousand (1,000) gallons and annual throughputs equal to or less than twelve thousand (12,000) gallons. These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.
- (c) One (1) solvent packaging area and one (1) final product packaging and shipping area where finished product (sealants, caulks, and solvents) are mechanically inserted into small cartridges, tubes, cans, or pails. These emission units are considered affected sources under 40 CFR 63, Subpart EEEE.
- (d) One (1) maintenance parts washer, constructed around 1994, with a maximum throughput of twenty-five (25) gallons of solvent per month, and uses solvents that contain less than 5% by weight halogenated HAPs. [326 IAC 8-3]
- (e) One (1) perchloroethylene storage tank identified as Perchloroethylene-1, constructed after 1975 and before 1982, with a maximum storage capacity of 5,000 gallons (668.4 cubic feet), and an annual throughput rate of 112,274 gallons of perchloroethylene per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (f) One (1) plasticizer storage tank identified as Plasticizer-1, constructed after 1975 and before 1982, with a maximum storage capacity of 5,000 gallons (668.4 cubic feet), and an annual throughput rate of 112,274 gallons of plasticizer raw material per year. This emission unit is considered an affected source under 40 CFR 60, Subpart EEEE.
- (g) One (1) aromatic fluid storage tank identified as Aromatic 100-1, constructed after 1975 and before 1982, with a maximum storage capacity of 4,000 gallons (534.72 cubic feet), and an annual throughput rate of 89,800 gallons of Aromatic 100 fluid per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.
- (h) One (1) aromatic fluid storage tank identified as Aromatic 100-2, constructed after 1975 and before 1982, with a maximum storage capacity of 4,000 gallons (534.72 cubic feet),

and an annual throughput rate of 89,800 gallons of Aromatic 100 fluid per year. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.

- (i) One (1) latex compounder identified as E6, with a maximum capacity of 1,215 pounds per batch, processing a maximum of two (2) batches per day, constructed in 2007, with emissions controlled by condenser C6. This emission unit is considered an affected source under 40 CFR 63, Subpart EEEE.

### **Existing Approvals**

The source constructed and has been operating under the following approval:

- (a) Exemption No. 039-19208-00605 issued on September 1, 2004.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

### **Air Pollution Control Justification as an Integral Part of the Process**

The applicant has submitted the following justification such that the condensers be considered as an integral part of the solvent mixing process:

- (a) The condensers (C1 through C5 and C7) are used to capture and return the solvent to the product tanks.
- (b) The vacuum is required to remove trapped air from the product prior to shipping. The solvent capture and return on the vacuum lines is necessary for product quality control to maintain the correct composition of the products. Without the condensers (C1 through C5 and C7), the vacuum lines would become plugged with solvent and would need to be shut down.

IDEM, OAQ evaluated the justifications and agreed in Exemption No. 039-19208-00605 issued on September 1, 2004 that the condensers (C1 through C3 and C7) will be considered as an integral part of the solvent mixing process. For the reasons specified in paragraphs (a) and (b) above, condensers C4 and C5 are also considered integral to the solvent mixing process. Therefore, the permitting level was determined using the potential to emit after the condensers. Operating conditions in the proposed permit will specify that the condensers shall operate at all times when the solvent mixing process is in operation.

### **Enforcement Issue**

IDEM is aware that equipment has been constructed and operated prior to receipt of the proper permit. The subject equipment is listed in this Technical Support Document under the condition entitled "Emission Units and Pollution Control Equipment".

IDEM is reviewing this matter and will take appropriate action. This proposed permit is intended to satisfy the requirements of the construction permit rules.

### **Emission Calculations**

See Appendix A of this document for detailed emission calculations (pages 1 through 10).

### **County Attainment Status**

The source is located in Elkhart County

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective July 19, 2007, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Attainment effective October 18, 2000, for the 1-hour ozone standard for the South Bend-Elkhart area, including Elkhart County, and is a maintenance area for the 1-hour National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X. The 1-hour standard was revoked effective June 15, 2005.	

- (a) Elkhart County has been classified as unclassifiable or attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM2.5 emissions. Therefore, until the U.S. EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions. See the State Rule Applicability – Entire Source section.
- (b) Ozone Standards
- (1) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.
  - (2) On September 6, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Allen, Clark, Elkhart, Floyd, LaPorte, St. Joseph as attainment for the 8-hour ozone standard.
  - (3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Clark, Elkhart, Floyd, LaPorte, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and St. Joseph as attainment for the 8-hour ozone standard.
  - (4) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Elkhart County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability – Entire Source section.
- (c) Elkhart County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability – Entire Source section.
- (d) Fugitive Emissions  
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are not counted toward determination of PSD or Emission Offset applicability.

### Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Pollutant	tons/year
PM	0.37
PM10	0.37
SO <sub>2</sub>	N/A
VOC	19.9
CO	N/A
NO <sub>x</sub>	N/A

HAPs	tons/year
Perchloroethylene	24.4
Total HAPs	29.9

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of all criteria pollutants are less than 100 tons per year.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is greater than twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7. Pursuant to 326 IAC 2-5.1-3 and 326 IAC 2-7, the source will be issued a New Source Review and Part 70 operating permit.
- (c) Fugitive Emissions  
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are not counted toward the determination of Part 70 applicability.

### Actual Emissions

No previous emission data has been received from the source.

### Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

### Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 permit renewal, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/emission unit	Potential To Emit (tons/year)						HAPs
	PM	PM10	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>	
Pigmenting Process (solvent-based)	0.35	0.35	--	0.33	--	--	Greater than 10 tons per year of a single HAP; Greater than 25 tons per year of a combination of HAPs
Pigmenting Process (water-based)	0.02	0.02	--	0.02	--	--	
Solvent Mixing Tanks	--	--	--	9.23	--	--	
Tank Cleaning	--	--	--	0.53	--	--	
Product Holding Tanks	--	--	--	2.74	--	--	
Solvent Packaging	--	--	--	2.74	--	--	
Product Packaging	--	--	--	2.74	--	--	
Parts Washer	--	--	--	1.01	--	--	
Storage Tanks	--	--	--	5.81E-03	--	--	
Latex Compounding	--	--	--	6.21E-01	--	--	
<b>Total Emissions</b>	<b>0.37</b>	<b>0.37</b>	--	<b>19.9</b>	--	--	
Part 70 Major Source Threshold	N/A	100	100	100	100	100	Single HAP 10.0 Total HAPs 25.0
PSD Major Source Threshold	250	250	250	250	250	250	N/A

- (a) This existing stationary source is not major for PSD because the emissions of each criteria pollutant are less than two hundred fifty (<250) tons per year, and it is not one of the twenty-eight (28) listed source categories.
- (b) Fugitive Emissions  
 Since this type of operation is not in one of the twenty-eight (28) listed source categories under 326 IAC 2-2, fugitive emissions are not counted toward the determination of PSD applicability.

**Federal Rule Applicability**

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to existing emission units that involve a pollutant-specific emission unit and meet the following criteria:
  - (1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;
  - (2) is subject to an emission limitation or standard for that pollutant; and
  - (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

None of the emission units at this source meet all three of the above criteria; therefore, none of the units at this source are subject to CAM.
- (b) There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit for this source.
- (c) All of the storage tanks at this source were constructed prior to July 23, 1984. Therefore, the requirements of 40 CFR 60, Subpart Kb (New Source Performance Standards for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984) are not included in this permit.

- (d) The requirements of 40 CFR 60, Subpart VV (New Source Performance Standards for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006) are not included in this permit for this source, because this source is not in the synthetic organic chemicals manufacturing industry as defined in 40 CFR 60.481.
- (e) The requirements of 40 CFR 60, Subpart VVa (New Source Performance Standards for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006) are not included in this permit for this source, because this source is not in the synthetic organic chemicals manufacturing industry as defined in 40 CFR 60.481.
- (f) The requirements of 40 CFR 63, Subpart T (National Emission Standards for Hazardous Air Pollutants for Halogenated Solvent Cleaning) are not included in this permit for this source. Although the parts washer uses a solvent containing perchloroethylene, the material used does not have a total concentration of halogenated HAP solvents greater than 5 percent by weight.
- (g) The requirements of 40 CFR 63, Subpart U (National Emission Standards for Hazardous Air Pollutants for Group I Polymers and Resins) are not included in this permit for this source because this source does not produce "elastomer products" as defined in 40 CFR 63.482.
- (h) The requirements of 40 CFR 63, Subpart JJJ (National Emission Standards for Hazardous Air Pollutants for Group IV Polymers and Resins) are not included in this permit for this source because this source does not produce "thermoplastic products" as defined in 40 CFR 63.1312.
- (i) This source is subject to the requirements of 40 CFR 63, Subpart EEEE (National Emission Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline)), because it is a major source of HAPs and has organic liquids distribution (OLD) operations as defined in 40 CFR 63.2406.

Pursuant to 40 CFR 63.2342(b), the existing affected source shall comply with the requirements of 40 CFR Part 63, Subpart EEEE no later than February 5, 2007.

The affected source is subject to the following portions of 40 CFR Part 63, Subpart EEEE.

- (1) 40 CFR 63.2330
- (2) 40 CFR 63.2334
- (3) 40 CFR 63.2338
- (4) 40 CFR 63.2342
- (5) 40 CFR 63.2343
- (6) 40 CFR 63.2346
- (7) 40 CFR 63.2350
- (8) 40 CFR 63.2354
- (9) 40 CFR 63.2358
- (10) 40 CFR 63.2366
- (11) 40 CFR 63.2370
- (12) 40 CFR 63.2374
- (13) 40 CFR 63.2378
- (14) 40 CFR 63.2382
- (15) 40 CFR 63.2386

- (16) 40 CFR 63.2390
- (17) 40 CFR 63.2394
- (18) 40 CFR 63.2396
- (19) 40 CFR 63.2398
- (20) 40 CFR 63.2402
- (21) 40 CFR 63.2406
- (22) Tables 1 through 12

The provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the OLD operations except when otherwise specified in 40 CFR Part 63, Subpart EEEE.

- (j) There are no other National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in this permit renewal.

### **State Rule Applicability - Entire Source**

#### **326 IAC 2-2 (Prevention of Significant Deterioration)**

This source is not in one of 28 listed source categories and does not have the potential to emit 250 tons per year of any regulated pollutant. Therefore, this source is not subject to the requirements of 326 IAC 2-2.

#### **326 IAC 2-4.1-1 (Major Sources of Hazardous Air Pollutants)**

This source has the potential to emit hazardous air pollutants (HAPs) greater than the major source thresholds in Section 112 of the 1990 Clean Air Act. However, this source is regulated by a standard issued pursuant to Section 112(j) of the Clean Air Act. Therefore, the provisions of 326 IAC 2-4.1-1 are not applicable to any of the facilities at this source.

#### **326 IAC 2-6 (Emission Reporting)**

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under 326 IAC 2-7 (Part 70 program). Pursuant to this rule, the Permittee shall submit an emission statement triennially certified pursuant to the requirements of 326 IAC 2-6. This statement must be received in accordance with the compliance schedule specified in 326 IAC 2-6-3 and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period identified in 326 IAC 2-6.

#### **326 IAC 5-1 (Opacity Limitations)**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in the permit:

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

#### **326 IAC 6-4 (Fugitive Dust Emissions)**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-off-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4.

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

This source is not a source of fugitive particulate matter emissions. Therefore, the requirements of 326 IAC 6-5 are not applicable.

**State Rule Applicability – Solvent Mixing Tanks and Pigment Mixing Tanks**

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(b)(14), the solvent and pigment mixing tanks are exempt from the requirements of 326 IAC 6-3, because they have potential particulate emissions less than five hundred fifty-one thousandths (0.551) pound per hour.

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The solvent and pigment mixing tanks were constructed after January 1, 1980; however, these facilities do not have the potential to emit twenty-five (25) tons or more per year of VOC. Therefore, these facilities are not subject to the requirements of 326 IAC 8-1-6.

**State Rule Applicability – Latex Compounder**

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The latex compounder was constructed after January 1, 1980; however, it does not have the potential to emit twenty-five (25) tons per year or more of VOC. Therefore, the latex compounder is not subject to the requirements of 326 IAC 8-1-6.

**State Rule Applicability – Cleaning Operations and Parts Washer**

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The cleaning operation for the solvent mixing tanks and the parts washer were constructed after January 1, 1980; however, these facilities do not have the potential to emit twenty-five (25) tons or more per year of VOC. Therefore, these facilities are not subject to the requirements of 326 IAC 8-1-6.

326 IAC 8-3 (Organic Solvent Degreasing Operations)

- (a) The cleaning operation for the solvent mixing tanks involves rinsing the solvent mixing tanks with a solvent, which is then returned to drums for storage or used in the product mix. This process does not involve a cold cleaner degreaser, an open top vapor degreaser, or a conveyORIZED degreaser. Therefore, the requirements of 326 IAC 8-3 do not apply to the cleaning operations for the solvent mixing tanks.
- (b) Because the parts washer was constructed after January 1, 1980 in Elkhart County and uses a solvent containing VOC, it is subject to the requirements of 326 IAC 8-3-2 (Cold Cleaner Operation). The parts washer has a remote solvent reservoir; therefore, it is not subject to the requirements of 326 IAC 8-3-5 (Cold Cleaner Degreaser Operation and Control).

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), for cold cleaning operations constructed after January 1, 1980, the Permittee shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;

- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

### **State Rule Applicability – Storage Tanks, Blended Product Holding Tanks, Solvent and Final Product Packaging and Shipping**

#### 326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The storage tanks, blended product holding tanks, and solvent and final product packaging and shipping operations were constructed after January 1, 1980; however, these facilities do not have the potential to emit twenty-five (25) tons or more per year of VOC. Therefore, these facilities are not subject to the requirements of 326 IAC 8-1-6.

### **Compliance Determination and Monitoring Requirements**

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions; however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

(a) The compliance determination requirements applicable to this source are as follows:

- (1) **Emission Controls Operation**  
The integral condensers, C1 through C5 and C7, for VOC control shall be in operation and control VOC emissions whenever the solvent mixing tanks are in operation.

These requirements are necessary in order to ensure compliance with 326 IAC 2-7.

(b) The compliance monitoring requirements applicable to this source are as follows:

<b>Control</b>	<b>Parameter</b>	<b>Frequency</b>	<b>Range</b>	<b>Excursions and Exceedances</b>
Condensers C1 through C5 and C7	Flow Rate	Daily	Flow Rate (gal/min) determined to be acceptable based on manufacturer's specifications	Response Steps

These monitoring conditions are necessary because the condensers for the solvent mixing tanks must operate properly to ensure compliance with 326 IAC 2-7 (Part 70 Permit Program).

### **Recommendation**

The staff recommends to the Commissioner that the Part 70 Operating Permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on November 21, 2007. Additional information was received on January 2, 2008, January 30, 2008, February 26, 2008, March 4, 2008, March 10, 2008, and April 8, 2008.

### **Conclusion**

The operation of this sealant, caulk, and adhesive manufacturing plant shall be subject to the conditions of the attached New Source Review and Part 70 Operating Permit No. 039-25572-00605.

**Appendix A: Emission Calculations**  
**VOC and HAP Emissions from Open-Top Mixing Tanks for Solvent-based Pigmenting Process**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Material	Material Usage (lbs/batch)	Maximum Total Material Loss (lbs/batch)*	Quantity Released (lbs/batch)	Processing Time (batches/hr)	Weight % VOC	Weight % Xylene	Weight % Cumene	Weight % Perchloroethylene	PTE VOC (tons/yr)	PTE Xylene (tons/yr)	PTE Cumene (tons/yr)	PTE Perchloroethylene (tons/yr)
SC-100 Solvent	62.1	0.50	0.04	2.00	100%	2.20%	1.10%	0.00%	0.33	7.27E-03	3.63E-03	0.00
Perchloroethylene	762		0.46	2.00	0.00%	0.00%	0.00%	99.9%	0.00	0.00	0.00	4.05
<b>Total</b>	<b>824</b>							<b>Total</b>	<b>0.33</b>	<b>7.27E-03</b>	<b>3.63E-03</b>	<b>4.05</b>

The pigment mixing process consists of mixing SC-100 solvent and Perchloroethylene with various aqueous pigment pastes, which contain no VOCs or HAPs. The amount of SC-100 or Perchloroethylene used depends on the recipe for the pigmented product. The amounts shown above are for TP Almond and represent the worst case recipe for VOC and for HAP.

\*The maximum total material loss per batch was determined using a mass balance approach. The weigh scale used did not detect any material loss. The weigh scale is accurate to 0.50 pounds; therefore, it is assumed that 0.50 pounds of the pigmented product are lost per batch.

**Methodology**

Quantity Released (lbs/batch) = Material Usage (lbs/batch) / Total Material Usage (lbs/batch) x Maximum Total Material Loss (lbs/batch)

PTE VOC (tons/yr) = Quantity Released (lbs/batch) x Processing Time (batches/hr) x Weight % VOC x 8,760 hrs/yr x 1 ton/2,000 lbs

PTE HAP (tons/yr) = Quantity Released (lbs/batch) x Processing Time (batches/hr) x Weight % HAP x 8,760 hrs/yr x 1 ton/2,000 lbs

**Appendix A: Emission Calculations**  
**Particulate Emissions from Open-Top Mixing Tanks for Solvent-based Pigmenting Process**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Amount of Pigment in Blend (lbs/batch)	Processing Time (batches/hr)	PM/PM10 Emission Factor (lbs/ton pigment)	PTE PM/PM10 (tons/yr)
4.00	2.00	20.0	0.35

Assume PM = PM10.

Emission factor is from AP-42, Chapter 6.4, Table 6.4-1 [5/83; reformatted 1/95].

**Methodology**

PTE PM/PM10 (tons/yr) = Amount of Pigment in Blend (lbs/batch) x Processing Time (batches/hr) x 1 ton/2,000 lbs x Emission Factor (lbs/ton pigment) x 8,760 hrs/yr x 1 ton/2,000 lbs

**Appendix A: Emission Calculations**  
**VOC and HAP Emissions from Open-Top Mixing Tanks for Water-based Pigmenting Process**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Material	Quantity of Material in Blend (lbs/batch)	Maximum Total Material Loss (lbs/batch)*	Quantity Released (lbs/batch)	Processing Time (batches/day)	Weight % VOC	Weight % Xylene	Weight % Cumene	Weight % Perchloroethylene	PTE VOC (tons/yr)	PTE Xylene (tons/yr)	PTE Cumene (tons/yr)	PTE Perchloroethylene (tons/yr)
SC-100 Solvent	62.0	0.50	0.04	3.00	100%	2.20%	1.10%	0.00%	0.02	4.53E-04	2.27E-04	0.00
Perchloroethylene	762		0.46	3.00	0.00%	0.00%	0.00%	99.9%	0.00	0.00	0.00	0.25
<b>Total</b>	<b>824</b>							<b>Total</b>	<b>0.02</b>	<b>4.53E-04</b>	<b>2.27E-04</b>	<b>0.25</b>

In this water-based pigment mixing process, water and pigment are added to the material coming out of the compounder. The material already contains SC-100 and Perchloroethylene (see Quantity of Material in Blend above). The amounts shown above are for TP Almond and represent the worst case recipe for VOC and for HAP.

\*The maximum total material loss per batch was determined using a mass balance approach. The weigh scale used did not detect any material loss. The weigh scale is accurate to 0.50 pounds; therefore, it is assumed that 0.50 pounds of the pigmented product are lost per batch.

**Methodology**

Quantity Released (lbs/batch) = Quantity of Material in Blend (lbs/batch) / Total Quantity of Material in Blend (lbs/batch) x Maximum Total Material Loss (lbs/batch)

PTE VOC (tons/yr) = Quantity of Material in Blend (lbs/batch) x Processing Time (batches/day) x Weight % VOC x 365 days/yr x 1 ton/2,000 lbs

PTE HAP (tons/yr) = Quantity of Material in Blend (lbs/batch) x Processing Time (batches/day) x Weight % HAP x 365 days/yr x 1 ton/2,000 lbs

**Appendix A: Emission Calculations**  
**Particulate Emissions from Open-Top Mixing Tanks for Water-based Pigmenting Process**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Added Pigment Weight (lbs/batch)	Processing Time (batches/day)	PM/PM10 Emission Factor (lbs/ton pigment)	PTE PM/PM10 (tons/yr)
4.00	3.00	20.0	0.02

Assume PM = PM10.

Emission factor is from AP-42, Chapter 6.4, Table 6.4-1 [5/83; reformatted 1/95].

**Methodology**

PTE PM/PM10 (tons/yr) = Added Pigment Weight (lbs/batch) x Processing Time (batches/day) x 1 ton/2,000 lbs x Emission Factor (lbs/ton pigment) x 365 days/yr x 1 ton/2,000 lbs

**Appendix A: Emission Calculations**  
**VOC and HAP Emissions from Solvent Compounding Mixing Tanks**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Actual measured quantity of solvent captured in the final condenser: 17.0 gal/week  
 Actual weeks of operation: 50 weeks/yr  
 Actual hours of operation: 2942 hrs/yr  
 Conservative estimate of control efficiency of final condenser: 50.0 %  
 Estimated actual amount of solvent emitted from final condenser: 850 gal/yr  
 Potential amount of solvent emitted from final condenser: 2,531 gal/yr

Material	Density (lbs/gal)	Weight % VOC	Weight % Xylene	Weight % Cumene	Weight % Perchloroethylene	PTE VOC (tons/yr)	PTE Xylene (tons/yr)	PTE Cumene (tons/yr)	PTE Perchloroethylene (tons/yr)
SC-100 Solvent	7.29	100%	2.20%	1.10%	0.00%	9.23	0.20	0.10	0.00
Perchloroethylene	13.5	0.00%	0.00%	0.00%	99.9%	0.00	0.00	0.00	17.1
<b>Total</b>						<b>9.23</b>	<b>0.20</b>	<b>0.10</b>	<b>17.1</b>

The source has five (5) solvent mixing tanks with closed loop solvent piping. These tanks all exhaust through a final condenser.

The actual measured quantity of solvent captured in the final condenser, actual weeks of operation, actual hours of operation, and conservative estimate of the control efficiency of the condenser are reported by the source.

The actual measured quantity of solvent captured assumes the condensers are integral to the solvent mixing process.

**Methodology**

Actual amount of solvent emitted (gal/yr) = Actual measured quantity of solvent captured in the final condenser (gal/week) x Actual weeks of operation (weeks/yr)

Potential amount of solvent emitted (gal/yr) = Actual amount of solvent emitted (gal/yr) / Actual hours of operation (hrs/yr) x 8,760 hrs/yr

PTE VOC (tons/yr) = Potential amount of solvent emitted (gal/yr) x Density (lbs/gal) x Weight % VOC x 1 ton/2,000 lbs

PTE HAP (tons/yr) = Potential amount of solvent emitted (gal/yr) x Density (lbs/gal) x Weight % HAP x 1 ton/2,000 lbs

**Appendix A: Emission Calculations**  
**VOC and HAP Emissions from Storage Tanks**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Tank ID	PTE VOC (tons/yr)	PTE Xylene (tons/yr)	PTE Perchloroethylene (tons/yr)	PTE Total HAPs (tons/yr)
Perchloroethylene-1	0.00	0.00	0.06	0.06
Aromatic 100-1	2.91E-03	3.00E-04	0.00	3.00E-04
Aromatic 100-2	2.91E-03	3.00E-04	0.00	3.00E-04

The potential emissions reported above were provided by the source and were calculated using TANKS 4.0.9d.

**Appendix A: Emission Calculations**  
**VOC and HAP Emissions from Cleaning of Solvent Mixing Tanks**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Material	Density (lbs/gal)	Maximum Usage (gal/yr)	Weight % VOC	Weight % Xylene	Weight % Cumene	PTE VOC (tons/yr)	PTE Xylene (tons/yr)	PTE Cumene (tons/yr)
SC-100 Solvent	7.29	145	100%	2.20%	1.10%	0.53	0.01	0.01

As a worst-case scenario, the calculations above assume a solvent usage rate of 145 gallons per year for the solvent mixing tank cleaning process. The source reuses the solvent used for cleaning and expects to use less than 145 gallons per year.

**Methodology**

PTE VOC/HAP (tons/yr) = Density (lbs/gal) x Maximum Usage (gal/yr) x Weight % VOC or HAP x 1 ton/2,000 lbs

**Appendix A: Emission Calculations  
VOC and HAP Emissions from Parts Washer**

**Company Name: Geocel Corporation**  
**Address: 23280 Marina Drive, Elkhart, Indiana 46514**  
**Part 70 Permit: 039-25572-00605**  
**Reviewer: ERG/SE**  
**Date: May 27, 2008**

Material	Density (lbs/gal)	Maximum Usage (gal/yr)	Weight % VOC	Weight % Perchloroethylene	PTE VOC (tons/yr)	PTE Perchloroethylene (tons/yr)
Safety-Kleen Solvent 105	6.70	300	100%	0.20%	1.01	2.01E-03

**Methodology**

PTE VOC/HAP (tons/yr) = Density (lbs/gal) x Maximum Usage (gal/yr) x Weight % VOC or HAP x 1 ton/2,000 lbs

**Appendix A: Emission Calculations  
VOC and HAP Emissions from Latex Compounder**

**Company Name: Geocel Corporation  
Address: 23280 Marina Drive, Elkhart, Indiana 46514  
Part 70 Permit: 039-25572-00605  
Reviewer: ERG/SE  
Date: May 27, 2008**

Material	Material Usage (lbs/batch)	Processing Time (batches/day)	Weight % VOC	Weight % Vinyl Acetate	Weight % Acetaldehyde	Weight % Acrylonitrile	PTE VOC (tons/yr)	PTE Vinyl Acetate (tons/yr)	PTE Acetaldehyde (tons/yr)	PTE Acrylonitrile (tons/yr)
Latex 123	1,215	2.00	0.001%	0.00%	0.00%	0.001%	4.43E-03	0.00	0.00	4.43E-03
Latex 367	1,215	2.00	0.14%	0.10%	0.04%	0.00%	6.21E-01	4.43E-01	1.77E-01	0.00
<b>Worst-case PTE</b>							<b>6.21E-01</b>	<b>4.43E-01</b>	<b>1.77E-01</b>	<b>4.43E-03</b>

**Worst-case Total HAPs** 6.21E-01

As a worst-case scenario, it is assumed that the entire batch consists of a latex material.

**Methodology**

PTE VOC/HAP (tons/yr) = Material Usage (lbs/batch) x Processing Time (batches/day) x Weight % VOC or HAP x 365 days/yr x 1 ton/2,000 lbs

**Appendix A: Emission Calculations  
Emissions Summary**

**Company Name: Geocel Corporation  
Address: 23280 Marina Drive, Elkhart, Indiana 46514  
Part 70 Permit: 039-25572-00605  
Reviewer: ERG/SE  
Date: May 27, 2008**

**Unlimited Potential to Emit (tons/yr)**

Emission Unit	PM	PM10	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>	Single HAP (Perchloroethylene)	Combined HAPs
Storage Tanks****	--	--	--	5.81E-03	--	--	0.06	0.06
Solvent Mixing Tanks	--	--	--	9.23	--	--	17.1	17.4
Tank Cleaning	--	--	--	0.53	--	--	0.00	0.02
Latex Compounding***	--	--	--	6.21E-01	--	--	0.00	6.21E-01
Product Holding Tanks*	--	--	--	2.74	--	--	1.00	2.50
Pigmenting Process (solvent-based)	0.35	0.35	--	0.33	--	--	4.05	4.06
Pigmenting Process (water-based)	0.02	0.02	--	0.02	--	--	0.25	0.25
Product Packaging**	--	--	--	2.74	--	--	1.00	2.50
Solvent Packaging**	--	--	--	2.74	--	--	1.00	2.50
Parts Washer	--	--	--	1.01	--	--	2.01E-03	2.01E-03
<b>Total</b>	<b>0.37</b>	<b>0.37</b>	--	<b>19.9</b>	--	--	<b>24.4</b>	<b>29.9</b>

\*The product holding tanks consist of several large, tightly sealed holding tanks, which are used to temporarily store the mixed product from the solvent compounding (mixing) tanks. These holding tanks only store final product and are not involved in any mixing or blending operations. It is anticipated that any VOC or HAP emissions from these tanks would be only a fraction of the emissions from the bulk storage tanks holding pure solvent. Therefore, the holding tanks are considered insignificant and the insignificant emissions thresholds for VOC (15 lbs/day = 2.74 tons/yr) and HAP emissions are assigned above.

\*\*In the packaging areas, the finished product (caulks, sealants, solvents) is mechanically inserted into small cartridges, tubes, cans, and pails as required. Due to the consistency of the final products, there are no particulate emissions expected from product packaging. The VOC and HAP emissions are expected to be insignificant. Therefore, the insignificant emissions thresholds for VOC (15 lbs/day = 2.74 tons/yr) and HAP emissions are assigned above.

\*\*\*Due to the consistency of the materials used in the latex compounder, there are not expected to be any PM/PM10 emissions.

\*\*\*\*The PTE of VOC and HAPs from the plasticizer storage tank is negligible.