



# 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  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

TO: Interested Parties / Applicant

DATE: July 29, 2011

RE: Reclaimed Energy – Div. of Superior Oil Company, Inc / 041-30702-00015

FROM: Matthew Stuckey, Branch Chief  
Permits Branch  
Office of Air Quality

## Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures  
FNPER-AM.dot12/3/07



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July 29, 2011

Ms. Kellee R. Cobb  
EHS Manager, Reclaimed Energy, Division of Superior oil Company, Inc.  
1500 Western Ave  
Connersville, IN 47331

Re: 041-30702-00015  
Fourth Administrative Amendment to  
Part 70 Renewal No.: T 041-21620-00015

Dear Ms. Cobb:

Superior Oil Company, Inc. was issued a Part 70 Operating Permit Renewal on August 21, 2008 for a stationary chemical recycling source located at 1500 Western Ave., Connersville, in Indiana. A letter requesting changes to this permit was received on July 12, 2011. The source requested that the permit be updated to incorporate replacement of two existing tanks identified as EU-TK40 and EU-TK41 with two functionally equivalent tank units. The use of the units will not change, however, size, material of construction and overall shape will. Pursuant to 326 IAC 2-7-11(a)(2), this change to the permit qualifies as an administrative permit amendment, since it is a revision that incorporates an exempt unit as described in 326 IAC 2-1.1-3.

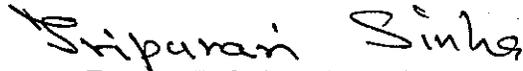
Pursuant to the provisions of 326 IAC 2-7-11, the permit is hereby administratively amended as follows with deleted language as ~~strikeouts~~ and new language **bolded**:

**Change No.1:** The following descriptive changes have been done to A.2, D.2, E.1, E.2, E.3, and E.6:

- (oo) One (1) product storage tank, identified as EU-TK 40, installed in ~~1984~~ **2011**, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,3100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (pp) One (1) product storage tank, identified as EU-TK 41, installed in ~~1984~~ **2011**, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,3100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

This decision is subject to the Indiana Administrative Orders and Procedures Act – IC 4-21.5-3-5. If you have any questions on this matter, please contact Ghassan Shalabi, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Ghassan Shalabi or extension (4-5378), or dial (317) 234-5378.

Sincerely,



Tripurari P. Sinha, Ph. D., Section Chief  
Permits Branch  
Office of Air Quality

Attachments:

Updated Permit  
PTE Calculations

GS

cc: File – Fayette County  
Fayette County Health Department  
U.S. EPA, Region V  
Compliance and Enforcement Branch  
Permits Administration and Support Staff



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## Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

**Reclaimed Energy,  
Division of Superior Oil Company, Inc.  
1500 Western Avenue  
Connersville, Indiana 47331**

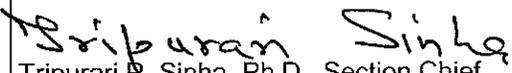
(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

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.: T 041-21620-00015	
Original document signed by: Alfred C. Dumauual, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: August 21, 2008  Expiration Date: August 21, 2013

First Administrative Amendment No.: T 041-26978-00015  
Second Administrative Amendment No.: T 041-27080-00015  
Third Administrative Amendment No.: T 041-28034-00015  
First Significant Permit Modification No.: 041-28479-00015

Fourth Administrative Amendment No.: 041-30702-00015	
Original document signed by:  Tripurari R. Sinha, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: July 29, 2011  Expiration Date: August 21, 2013

## TABLE OF CONTENTS

<b>SECTION A</b>	<b>SOURCE SUMMARY</b> .....	5
A.1	General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]	
A.2	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]	
A.3	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]	
A.4	Part 70 Permit Applicability [326 IAC 2-7-2]	
<b>SECTION B</b>	<b>GENERAL CONDITIONS</b> .....	11
B.1	Definitions [326 IAC 2-7-1]	
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)]	
B.3	Term of Conditions [326 IAC 2-1.1-9.5]	
B.4	Enforceability [326 IAC 2-7-7]	
B.5	Severability [326 IAC 2-7-5(5)]	
B.6	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]	
B.7	Duty to Provide Information [326 IAC 2-7-5(6)(E)]	
B.8	Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]	
B.9	Annual Compliance Certification [326 IAC 2-7-6(5)]	
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]	
B.11	Emergency Provisions [326 IAC 2-7-16]	
B.12	Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]	
B.13	Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]	
B.14	Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]	
B.15	Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]	
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]	
B.17	Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]	
B.18	Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [40 CFR 72]	
B.19	Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]	
B.20	Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]	
B.21	Source Modification Requirement [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]	
B.23	Transfer of Ownership or Operational Control [326 IAC 2-7-11]	
B.24	Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]	
B.25	Credible Evidence [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [62 FR 8314] [326 IAC 1-1-6]	
<b>SECTION C</b>	<b>SOURCE OPERATION CONDITIONS</b> .....	21
	<b>Emission Limitations and Standards [326 IAC 2-7-5(1)]</b>	
C.1	Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]	
C.2	Opacity [326 IAC 5-1]	
C.3	Open Burning [326 IAC 4-1] [IC 13-17-9]	
C.4	Incineration [326 IAC 4-2] [326 IAC 9-1-2]	
C.5	Fugitive Dust Emissions [326 IAC 6-4]	
C.6	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]	
	<b>Testing Requirements [326 IAC 2-7-6(1)]</b>	
C.7	Performance Testing [326 IAC 3-6]	
	<b>Compliance Requirements [326 IAC 2-1.1-11]</b>	
C.8	Compliance Requirements [326 IAC 2-1.1-11]	

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

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

- C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
- C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]
- C.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]
- C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

**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]
- C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
- C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

**Stratospheric Ozone Protection**

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

**D.1 FACILITY OPERATION CONDITIONS: Natural gas-fired boiler EU-BO 1 ..... 27**

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

- D.1.1 Particulate [326 IAC 6-2-3]
- D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

**D.2 FACILITY OPERATION CONDITIONS: Recovery, Distillation, and Storage Tank**

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

- D.2.1 Volatile Organic Compounds (VOC) [326 IAC 8-1-6]
- D.2.2 Catalytic Thermal Oxidizer Operation
- D.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

**Compliance Determination Requirements**

- D.2.4 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

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

- D.2.5 Monitoring

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

- D.2.6 Record Keeping Requirements

**D.3 FACILITY OPERATION CONDITIONS: Insignificant Activities**

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

- D.3.1 Particulate [326 IAC 6-2-4]
- D.3.2 Volatile Organic Compounds (VOC) [326 IAC 8-3-2]
- D.3.3 Volatile Organic Compounds (VOC) [326 IAC 8-3-5]
- D.3.4 Particulate [326 IAC 6-3-2]

<b>E.1</b>	<b>NESHAP Subpart V FACILITY OPERATION CONDITIONS</b> .....	37
	<b>National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements</b>	
E.1.1	General Provisions Relating to NESHAP, Subpart V [326 IAC 14-8] [40 CFR Part 61, Subpart A]	
E.1.2	NESHAP, Subpart V, Requirements [40 CFR Part 61, Subpart V] [326 IAC 14-8]	
<b>E.2</b>	<b>NESHAP Subpart DD FACILITY OPERATION CONDITIONS</b>	
	<b>Storage Tanks and Process Vents</b>	
	<b>National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements</b>	
E.2.1	General Provisions Relating to NESHAP, Subpart DD [326 IAC 20-23] [40 CFR Part 63, Subpart A]	
E.2.2	NESHAP, Subpart DD, Requirements [40 CFR Part 63, Subpart DD] [326 IAC 20-23]	
<b>E.3</b>	<b>NESHAP Subpart DD FACILITY OPERATION CONDITIONS:</b>	
	<b>Storage Tanks and Containers, and Process Vents</b>	
	<b>National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements</b>	
E.3.1	General Provisions Relating to NESHAP, Subpart DD [326 IAC 20-23] [40 CFR Part 63, Subpart A]	
E.3.2	NESHAP, Subpart DD, Requirements [40 CFR Part 63, Subpart DD] [326 IAC 20-23]	
<b>E.4</b>	<b>NESHAP Subpart OO FACILITY OPERATION CONDITIONS</b>	
	<b>National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements</b>	
E.4.1	NESHAP, Subpart OO, Requirements [40 CFR Part 63, Subpart DD] [326 IAC 20-35]	
<b>E.5</b>	<b>NESHAP Subpart PP FACILITY OPERATION CONDITIONS</b>	
	<b>National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements</b>	
E.5.1	NESHAP, Subpart PP, Requirements [40 CFR Part 63, Subpart PP] [326 IAC 20-36]	
<b>E.6</b>	<b>Resources Conversation Recovery Act, 40 CFR 264, Subpart AA</b>	
	<b>FACILITY OPERATION CONDITIONS</b>	
	<b>Resources Conversation Recovery Act (RCRA) Requirements</b>	
E.6.1	Resources Recovery Conservation Act [40 CFR Part 264, Subpart AA]	
<b>E.7</b>	<b>NESHAP Subpart HHHHH FACILITY OPERATION CONDITIONS</b>	
	<b>National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements</b>	
E.7.1	General Provisions Relating to NESHAP, Subpart HHHHH [326 IAC 20-88] [40 CFR Part 63, Subpart A]	
E.7.2	NESHAP, Subpart HHHHH, Requirements [40 CFR Part 63, Subpart HHHHH] [326 IAC 20-88]	
<b>Certification</b> .....		117
<b>Emergency Occurrence Report</b>		
<b>Quarterly Deviation and Compliance Monitoring Report</b>		
<b>Attachment A: 40 CFR 63.6 Subpart A - Startup, Shutdown and Malfunction Plan</b>		
<b>Attachment B: 40 CFR 63 Subpart HHHHH - National Emission Standards for Hazardous Air Pollutants; Miscellaneous Coating Manufacturing</b>		

## 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 chemical recycling source.

Source Address:	1500 Western Avenue, Connersville, Indiana 47331
Mailing Address:	1500 Western Avenue, Connersville, Indiana 47331
General Source Phone Number:	(765) 825-7107
SIC Code:	7389, 7398, 7399, 2869
County Location:	Fayette
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source Under PSD Rules Major Source, Section 112 of the Clean Air Act Not 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) One (1) natural gas-fired fire tube boiler, identified as EU-BO 1, installed in 1981, exhausted through Stack S 1, heat input capacity: 25.11 million British thermal units per hour.
- (b) One (1) vacuum distillation unit, identified as EU-VD 1, rated at 1.7 million British thermal units per hour, consisting one (1) vacuum pot, one (1) vacuum column, and one (1) vacuum condenser, equipped with a 600 gallon distillate receiver, identified as EU-TK 22, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1997, exhausting through Stacks VD 1 and FI 1, capacity: 9,600 gallons per 24 hours, holding capacity: 3,300 gallons of solvent. Under NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (c) One (1) product storage tank, identified as EU-TK 23, installed in 1998, capacity: 2,000 gallons of volatile organic compounds.
- (d) One (1) product storage tank, identified as EU-TK 24, installed in 1998, capacity: 2,000 gallons of volatile organic compounds.
- (e) One (1) product storage tank, identified as EU-TK 25, installed in 1998, capacity: 2,000 gallons of volatile organic compounds.
- (f) One (1) fractionation column No.1, identified as EU-Col 1, heat input capacity: 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK18, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1983, exhausted through Stacks CV 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP

40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

- (g) One (1) fractionation column No.2, identified as EU-Col 2, rated at 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK19, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1984, exhausted through Stacks CV 2 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (h) One (1) vacuum pump, identified as EU-VP 1, installed in 1994, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks VP 1 and FI 1, capacity: 275 cubic feet per minute peak. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (i) One (1) pot still, identified as EU-DP 1, installed in 1992, attached to 275 gallon distillate receiver, identified as EU-TK20, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stack DP 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (j) One (1) thin film evaporator No.1, identified as EU-TF 1, installed in 1984, equipped with a 450 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 1 and FI 1, throughput capacity: 14,400 gallons of solvent per twenty-four (24) hour period. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA this is considered an affected facility.
- (k) One (1) thin film evaporator No.2, identified as EU-TF 2, installed in 1990, equipped with a 350 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 2 and FI 1, throughput capacity: 14,400 gallons of solvent per 24 hours. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (l) One (1) mixed solvent (molecular sieve) dryer, identified as EU-MS 1, installed in 1995, exhausted through Stack MS1, capacity: 6,500 gallons per batch, one (1) batch per 13.5 hours.
- (m) One (1) natural gas-fired fume incinerator (catalytic thermal oxidizer), identified as FI 1, rated at 1.0 million British thermal units per hour, installed August 2008, exhausted through Stack FI 1, exhaust rate: operated at - 2,500 cubic feet per minute; rated at - 3500 cubic feet minute. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is an affected facility.
- (n) One (1) product storage tank, identified as EU-TK 1, installed in 1990, capacity: 6,500 gallons of volatile organic compounds.
- (o) One (1) product storage tank, identified as EU-TK 2, installed in 1981, capacity: 6,800 gallons of volatile organic compounds.
- (p) One (1) product storage tank, identified as EU-TK 3, installed in 1983, capacity: 6,000 gallons of volatile organic compounds.

- (q) One (1) product storage tank, identified as EU-TK 4, installed in 1983, capacity: 4,500 gallons of volatile organic compounds.
- (r) One (1) product storage tank, identified as EU-TK 5, installed in 2004, capacity: 3,000 gallons of volatile organic compounds.
- (s) One (1) product storage tank, identified as EU-TK 6, installed in 1985, capacity: 1,000 gallons of volatile organic compounds.
- (t) One (1) product storage tank, identified as EU-TK 7, installed in 1985, capacity: 1,550 gallons of volatile organic compounds.
- (u) One (1) product storage tank, identified as EU-TK 8, installed in 1985, capacity: 1,550 gallons of volatile organic compounds.
- (v) One (1) product storage tank, identified as EU-TK 9, installed in 1990, capacity: 1,800 gallons of volatile organic compounds.
- (w) One (1) product storage tank, identified as EU-TK 10, installed in 1990, capacity: 6,500 gallons of volatile organic compounds.
- (x) One (1) product storage tank, identified as EU-TK 11, installed in 1990, capacity: 3,000 gallons of volatile organic compounds.
- (y) One (1) product storage tank, identified as EU-TK 12, installed in 1990, capacity: 6,500 gallons of volatile organic compounds.
- (z) One (1) product storage tank, identified as EU-TK 13, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (aa) One (1) product storage tank, identified as EU-TK 14, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (bb) One (1) product storage tank, identified as EU-TK 15, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (cc) One (1) product storage tank, identified as EU-TK 16, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (dd) One (1) product storage tank, identified as EU-TK 17, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (ee) One (1) product storage tank, identified as EU-TK 30, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ff) One (1) product storage tank, identified as EU-TK 31, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (gg) One (1) product storage tank, identified as EU-TK 32, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (hh) One (1) product storage tank, identified as EU-TK 33, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart

- V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ii) One (1) product storage tank, identified as EU-TK 34, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (jj) One (1) product storage tank, identified as EU-TK 35, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (kk) One (1) product storage tank, identified as EU-TK 36, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (ll) One (1) product storage tank, identified as EU-TK 37, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (mm) One (1) product storage tank, identified as EU-TK 38, installed in 1983, capacity: 10,000 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (nn) One (1) product storage tank, identified as EU-TK 39, installed in 2002, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 10,500 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
  - (oo) One (1) product storage tank, identified as EU-TK 40, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
  - (pp) One (1) product storage tank, identified as EU-TK 41, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
  - (qq) One (1) product storage tank, identified as EU-TK 42, installed in 1984, capacity: 5,100 gallons of process water. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (rr) One (1) product storage tank, identified as EU-TK 50, installed in 1992, capacity: 6,900 gallons of waste volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
  - (ss) One (1) product storage tank, identified as EU-TK 51, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,800 gallons of volatile organic compounds and distillation heels. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
  - (tt) One (1) product storage tank, identified as EU-TK 52, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.

- (uu) One (1) product storage tank, identified as EU-TK 53, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (vv) One (1) over pressurization temporary accumulation vessel, identified as EU-V 61, installed in 1997, attached to the catalytic thermal oxidizer, capacity: 165 gallons. Under 40 CFR 61, Subpart V, 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (ww) Small pilot solvent recycling unit, identified as EU-SP, attached to the catalytic thermal oxidizer, batch capacity: 165 gallons.
- (xx) One (1) solid dispersion unit, identified as EU-SD 1, consisting of one (1) 250 gallon tub and one (1) dispenser, exhausted through Stacks SD 1 and FI 1, vented to a catalytic thermal oxidizer, identified as FI 1, throughput capacity: 4,800 gallons per day. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and PP, this is considered an affected facility.

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) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour, consisting of the following emission unit:
  - One (1) natural gas-fired fire tube boiler, installed in 1998, exhausting through Stack S-2, heat input capacity: 8.4 million British thermal units per hour. [326 IAC 6-2]
- (b) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3-2] [326 IAC 8-3-5]
- (c) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6-3-2].
- (d) The following operations with emissions below exemption levels in 326 IAC 2-1.1-3 including the following:
  - (1) Two (2) parts washers, using a methyl pyrrolidone and dibasic ester blend as solvent [326 IAC 8-3-2] [326 IAC 8-3-5].
  - (2) One mixing tank, identified as WX-1, permitted in 2008, with an approximate capacity of 330 gallons,
  - (3) One mixing tank, identified as WX-2, permitted in 2008, with an approximate capacity of 225 gallons.
  - (4) Two (2) mixing tanks, identified as WT1 and WT2, permitted in 2009, with an approximate capacity of 650 gallons.
  - (5) One (1) storage tank for mineral spirits, identified as EU-TK21, with a storage capacity of 10,000 gallons.

- (6) One (1) mixing tank, identified as GM-1, for mixing mineral spirits, gilsonite powder and other compounds, with a maximum capacity of 4400 gallons.

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

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, T 041-21620-00015, 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)]**

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- (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) The "responsible official" is defined at 326 IAC 2-7-1(34).

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

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- (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. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:

Indiana Department of Environmental Management  
Compliance and Enforcement 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 maintain and implement Preventive Maintenance Plans (PMPs) 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.
- (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 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

- (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 and Enforcement 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 compli-

ance 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]**

- (a) All terms and conditions of permits established prior to T 041-21620-00015 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)]

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)]

- (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 and Enforcement Branch, 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]

- (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)]

- (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  
Permit Administration and Support Section, 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] [40 CFR 72]

- (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  
Permit Administration and Support Section, 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  
Permit Administration and Support Section, 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]

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]

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  
Permit Administration and Support Section, 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 one hundred (100) pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed five hundred fifty-one thousandths (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 two hundred sixty (260) linear feet on pipes or one hundred sixty (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  
Compliance and Enforcement Branch, 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 seventy-five hundredths (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 Accredited 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 Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

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

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

- (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 and Enforcement Branch, 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 and Enforcement 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]**

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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.

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

**C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on August 6, 2001.
- (b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

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

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]**

- (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;
  - (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) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 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]**

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- (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]**

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- (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 and Enforcement Branch, 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) 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.
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## SECTION D.1

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]: Natural gas-fired boiler

- (a) One (1) natural gas-fired fire tube boiler, identified as EU-BO 1, installed in 1981, exhausted through Stack S 1, heat input capacity: 25.11 million British thermal units per hour.

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

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

#### D.1.1 Particulate [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3(e), particulate emissions from the natural gas-fired fire tube boiler, identified as EU-BO 1, shall not exceed 0.6 lb/mmBtu heat input.

#### D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the natural gas-fired fire tube boiler, identified as EU-BO 1.

## SECTION D.2

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]: Recovery, Distillation and Storage Tanks

- (b) One (1) vacuum distillation unit, identified as EU-VD 1, rated at 1.7 million British thermal units per hour, consisting one (1) vacuum pot, one (1) vacuum column, and one(1) vacuum condenser, equipped with a 600 gallon distillate receiver, identified as EU-TK 22, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1997, exhausting through Stacks VD 1 and FI 1, capacity: 9,600 gallons per 24 hours, holding capacity: 3,300 gallons of solvent. Under NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (c) One (1) product storage tank, identified as EU-TK 23, installed in 1998, capacity: 2,000 gallons of volatile organic compounds.
- (e) One (1) product storage tank, identified as EU-TK 24, installed in 1998, capacity: 2,000 gallons of volatile organic compounds.
- (e) One (1) product storage tank, identified as EU-TK 25, installed in 1998, capacity: 2,000 gallons of volatile organic compounds.
- (f) One (1) fractionation column No.1, identified as EU-Col 1, heat input capacity: 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK18, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1983, exhausted through Stacks CV 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (g) One (1) fractionation column No.2, identified as EU-Col 2, rated at 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK19, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1984, exhausted through Stacks CV 2 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (h) One (1) vacuum pump, identified as EU-VP 1, installed in 1994, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks VP 1 and FI 1, capacity: 275 cubic feet per minute peak. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (i) One (1) pot still, identified as EU-DP 1, installed in 1992, attached to 275 gallon distillate receiver, identified as EU-TK20, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stack DP 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (j) One (1) thin film evaporator No.1, identified as EU-TF 1, installed in 1984, equipped with a 450 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 1 and FI 1, throughput capacity: 14,400 gallons of solvent per twenty-four (24) hour period. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA this is considered an affected facility.

**Facility Description [326 IAC 2-7-5(15)]: Recovery, Distillation and Storage Tanks (continued)**

- (k) One (1) thin film evaporator No.2, identified as EU-TF 2, installed in 1990, equipped with a 350 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 2 and FI 1, throughput capacity: 14,400 gallons of solvent per 24 hours. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (l) One (1) mixed solvent (molecular sieve) dryer, identified as EU-MS 1, installed in 1995, exhausted through Stack MS1, capacity: 6,500 gallons per batch, one (1) batch per 13.5 hours.
- (m) One (1) natural gas-fired fume incinerator (catalytic thermal oxidizer), identified as FI 1, rated at 1.0 million British thermal units per hour, installed August 2008, exhausted through Stack FI 1, exhaust rate: operated at - 2500 cubic feet per minute; rated at 3,500 cubic feet per minute. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is an affected facility.
- (n) One (1) product storage tank, identified as EU-TK 1, installed in 1990, capacity: 6,500 gallons of volatile organic compounds.
- (o) One (1) product storage tank, identified as EU-TK 2, installed in 1981, capacity: 6,800 gallons of volatile organic compounds.
- (p) One (1) product storage tank, identified as EU-TK 3, installed in 1983, capacity: 6,000 gallons of volatile organic compounds.
- (q) One (1) product storage tank, identified as EU-TK 4, installed in 1983, capacity: 4,500 gallons of volatile organic compounds.
- (r) One (1) product storage tank, identified as EU-TK 5, installed in 2004, capacity: 3,000 gallons of volatile organic compounds.
- (s) One (1) product storage tank, identified as EU-TK 6, installed in 1985, capacity: 1,000 gallons of volatile organic compounds.
- (t) One (1) product storage tank, identified as EU-TK 7, installed in 1985, capacity: 1,550 gallons of volatile organic compounds.
- (u) One (1) product storage tank, identified as EU-TK 8, installed in 1985, capacity: 1,550 gallons of volatile organic compounds.
- (v) One (1) product storage tank, identified as EU-TK 9, installed in 1990, capacity: 1,800 gallons of volatile organic compounds.
- (w) One (1) product storage tank, identified as EU-TK 10, installed in 1990, capacity: 6,500 gallons of volatile organic compounds.
- (x) One (1) product storage tank, identified as EU-TK 11, installed in 1990, capacity: 3,000 gallons of volatile organic compounds.
- (y) One (1) product storage tank, identified as EU-TK 12, installed in 1990, capacity: 6,500 gallons of volatile organic compounds.
- (z) One (1) product storage tank, identified as EU-TK 13, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.

**Facility Description [326 IAC 2-7-5(15)]: Recovery, Distillation and Storage Tanks (continued)**

- (aa) One (1) product storage tank, identified as EU-TK 14, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (bb) One (1) product storage tank, identified as EU-TK 15, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (cc) One (1) product storage tank, identified as EU-TK 16, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (dd) One (1) product storage tank, identified as EU-TK 17, installed in 1991, capacity: 6,500 gallons of volatile organic compounds.
- (ee) One (1) product storage tank, identified as EU-TK 30, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ff) One (1) product storage tank, identified as EU-TK 31, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (gg) One (1) product storage tank, identified as EU-TK 32, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (hh) One (1) product storage tank, identified as EU-TK 33, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ii) One (1) product storage tank, identified as EU-TK 34, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (jj) One (1) product storage tank, identified as EU-TK 35, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (kk) One (1) product storage tank, identified as EU-TK 36, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ll) One (1) product storage tank, identified as EU-TK 37, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (mm) One (1) product storage tank, identified as EU-TK 38, installed in 1983, capacity: 10,000 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (nn) One (1) product storage tank, identified as EU-TK 39, installed in 2002, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 10,500 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.

**Facility Description [326 IAC 2-7-5(15)]: Recovery, Distillation and Storage Tanks (continued)**

- (oo) One (1) product storage tank, identified as EU-TK 40, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (pp) One (1) product storage tank, identified as EU-TK 41, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (qq) One (1) product storage tank, identified as EU-TK 42, installed in 1984, capacity: 5,100 gallons of process water. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (rr) One (1) product storage tank, identified as EU-TK 50, installed in 1992, capacity: 6,900 gallons of waste volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ss) One (1) product storage tank, identified as EU-TK 51, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,800 gallons of volatile organic compounds and distillation heels. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (tt) One (1) product storage tank, identified as EU-TK 52, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (uu) One (1) product storage tank, identified as EU-TK 53, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (vv) One (1) over pressurization temporary accumulation vessel, identified as EU-V 61, installed in 1997, attached to the catalytic thermal oxidizer, capacity: 165 gallons. Under 40 CFR 61, Subpart V, 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (ww) Small pilot solvent recycling unit, identified as EU-SP, attached to the catalytic thermal oxidizer, batch capacity: 165 gallons.
- (xx) One (1) solid dispersion unit, identified as EU-SD 1, consisting of one (1) 250 gallon tub and one (1) dispenser, exhausted through Stacks SD 1 and FI 1, vented to a catalytic thermal oxidizer, identified as FI 1, throughput capacity: 4,800 gallons per day. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and PP, this is considered an affected facility.

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

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

### **D.2.1 Volatile Organic Compounds (VOC) [326 IAC 8-1-6]**

Pursuant to 326 IAC 8-1-6 (New facilities; general reduction requirements) and Part 70 Operating Permit (T041-6719-00015) issued June 1, 2001:

- (a) the as-installed catalytic thermal oxidizer is the Best Available Control Technology and shall be operated at all times when any of the following are in operation:
- (1) the vacuum distillation unit (EU-VD 1),
  - (2) the fractionation columns (EU-Col 1 or EU-Col 2),
  - (3) the vacuum pump (EU-VP 1),
  - (4) the pot still 1 (EU-DP 1), or
  - (5) the thin film evaporators No. 1 or No. 2 (EU-TF 1 or EU-TF 2).
- (b) the volatile organic compound (VOC) emissions shall not exceed 58.9 tons per twelve (12) consecutive month period for all facilities equipped with the catalytic thermal oxidizer and other recycling/processing operations to be calculated by the following equation:

$$\text{VOC emissions} = \text{Input VOC} * (1 - \text{overall control efficiency of the thermal oxidizer}) + \sum(\text{uncontrolled VOC input} * \text{emission factor}).$$

### **D.2.2 Catalytic Thermal Oxidizer Operation**

In order to comply with Condition D.2.1, the catalytic thermal oxidizer shall operate at all times that EU-VD 1, EU-Col 1, EU-Col 2, EU-VP 1, EU-DP1, EU-TF 1, or EU-TF 2 are operated. When operating, the catalytic thermal oxidizer shall maintain a minimum operating temperature of 650° Fahrenheit, or a temperature, fan amperage, and duct pressure determined in the most recent compliant stack test, to maintain a minimum ninety (90) percent destruction of the volatile organic compound (VOC) captured pursuant to 326 IAC 8-1-6.

### **D.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]**

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for all the facilities described above and for the catalytic thermal oxidizer that controls emissions from EU-VD 1, EU-Col 1, EU-Col 2, EU-VP 1, EU-DP1, EU-TF 1, and EU-TF 2.

## **Compliance Determination Requirements**

### **D.2.4 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]**

The Permittee shall perform overall VOC control efficiency testing of the catalytic thermal oxidizer utilizing methods as approved by the Commissioner and every five (5) years from the last valid compliance demonstration with the initial test conducted within 180 days of issuance of this permit. Testing shall be conducted in accordance with Section C - Performance Testing.

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

### **D.2.5 Monitoring**

The exhaust temperature of the catalytic thermal oxidizer shall be observed on each day that any of the facilities listed in Condition D.2.1 are operated. If a condition exists which should result in a response step, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with

Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

### **D.2.6 Record Keeping Requirements**

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- (a) To document compliance with Condition D.2.1(b), the Permittee shall maintain records at the source of the materials used that contain any VOCs. The records shall be complete and sufficient to establish compliance with the VOC usage limit pursuant to 326 IAC 8-1-6.
- (b) To document compliance with Condition D.2.5, the Permittee shall maintain daily records of the exhaust temperature of the catalytic thermal oxidizer. The Permittee shall include in its daily record when an exhaust temperature is not taken and the reason for the lack of an exhaust temperature (e.g., the catalytic thermal oxidizer did not operate that day).
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### SECTION D.3

### FACILITY OPERATION CONDITIONS

#### Facility Description [326 IAC 2-7-5(15)]: Insignificant Activities

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour, consisting of the following emission units:
- heat                      One (1) natural gas-fired fire tube boiler, installed in 1998, exhausting through Stack S-2, input capacity: 8.4 million British thermal units per hour. [326 IAC 6-2-4]
- (b) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3-2] [326 IAC 8-3-5]
- (c) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6-3-2].
- (d) The following operations with emissions below exemption levels in 326 IAC 2-1.1-3, including the following:
- (1) Two (2) parts washers, using a methyl pyrrolidone and dibasic ester blend as solvent [326 IAC 8-3-2] [326 IAC 8-3-5].
  - (2) One mixing tank, identified as WX-1, permitted in 2008, with an approximate capacity of 330 gallons
  - (3) One mixing tank, identified as WX-2, permitted in 2008, with an approximate capacity of 330 gallons.
  - (4) Two (2) mixing tanks, identified as WT1 and WT2, permitted in 2009, with an approximate capacity of 650 gallons.
  - (5) One (1) storage tank for mineral spirits, identified as EU-TK21, with a storage capacity of 10,000 gallons.
  - (6) One (1) mixing tank, identified as GM-1, for mixing mineral spirits, gilsonite powder and other compounds, with a maximum capacity of 4400 gallons.

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

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

##### D.3.1 Particulate [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating) the PM emissions from the insignificant natural gas-fired fire tube boiler, shall not exceed 0.437 pounds of PM per million British thermal unit.

##### D.3.2 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.

#### D.3.3 Volatile Organic Compounds (VOC) [326 IAC 8-3-5]

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- (a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), for cold cleaner degreaser operations without remote solvent reservoirs constructed after July 1, 1990, the Permittee shall ensure that the following control equipment requirements are met:
  - (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
    - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));
    - (B) The solvent is agitated; or
    - (C) The solvent is heated.
  - (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
  - (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
  - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
  - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):
    - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
    - (B) A water cover when solvent is used is insoluble in, and heavier than, water.

- (C) Other systems of demonstrated equivalent control such as a refrigerated chiller of carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility construction of which commenced after July 1, 1990, shall ensure that the following operating requirements are met:
  - (1) Close the cover whenever articles are not being handled in the degreaser.
  - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
  - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

#### D.3.4 Particulate [326 IAC 6-3-2]

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Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emissions from the following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment shall be limited to five hundred fifty-one thousandths (0.551) pound per hour.

## SECTION E.1

## NESHAP V FACILITY OPERATION CONDITIONS

### NESHAP V

- (b) One (1) vacuum distillation unit, identified as EU-VD 1, rated at 1.7 million British thermal units per hour, consisting one (1) vacuum pot, one (1) vacuum column, and one(1) vacuum condenser, equipped with a 600 gallon distillate receiver, identified as EU-TK 22, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1997, exhausting through Stacks VD 1 and FI 1, capacity: 9,600 gallons per 24 hours, holding capacity: 3,300 gallons of solvent. Under NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (f) One (1) fractionation column No.1, identified as EU-Col 1, heat input capacity: 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK18, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1983, exhausted through Stacks CV 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (g) One (1) fractionation column No.2, identified as EU-Col 2, rated at 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK19, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1984, exhausted through Stacks CV 2 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (h) One (1) vacuum pump, identified as EU-VP 1, installed in 1994, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks VP 1 and FI 1, capacity: 275 cubic feet per minute peak. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (i) One (1) pot still, identified as EU-DP 1, installed in 1992, attached to 275 gallon distillate receiver, identified as EU-TK20, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stack DP 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (j) One (1) thin film evaporator No.1, identified as EU-TF 1, installed in 1984, equipped with a 450 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 1 and FI 1, throughput capacity: 14,400 gallons of solvent per twenty-four (24) hour period. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA this is considered an affected facility.
- (k) One (1) thin film evaporator No.2, identified as EU-TF 2, installed in 1990, equipped with a 350 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 2 and FI 1, throughput capacity: 14,400 gallons of solvent per 24 hours. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

### **NESHAP V (continued)**

- (m) One (1) natural gas-fired fume incinerator (catalytic thermal oxidizer), identified as FI 1, rated at 1.5 million British thermal units per hour, installed December 1997, exhausted through Stack FI 1, exhaust rate: 2,500 cubic feet per minute. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is an affected facility.
- (ee) One (1) product storage tank, identified as EU-TK 30, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ff) One (1) product storage tank, identified as EU-TK 31, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (gg) One (1) product storage tank, identified as EU-TK 32, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (hh) One (1) product storage tank, identified as EU-TK 33, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ii) One (1) product storage tank, identified as EU-TK 34, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (jj) One (1) product storage tank, identified as EU-TK 35, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (kk) One (1) product storage tank, identified as EU-TK 36, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ll) One (1) product storage tank, identified as EU-TK 37, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (mm) One (1) product storage tank, identified as EU-TK 38, installed in 1983, capacity: 10,000 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (nn) One (1) product storage tank, identified as EU-TK 39, installed in 2002, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 10,500 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (oo) One (1) product storage tank, identified as EU-TK 40, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

### **NESHAP V (continued)**

- (pp) One (1) product storage tank, identified as EU-TK 41, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (qq) One (1) product storage tank, identified as EU-TK 42, installed in 1984, capacity: 5,100 gallons of process water. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (rr) One (1) product storage tank, identified as EU-TK 50, installed in 1992, capacity: 6,900 gallons of waste volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ss) One (1) product storage tank, identified as EU-TK 51, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,800 gallons of volatile organic compounds and distillation heels. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (tt) One (1) product storage tank, identified as EU-TK 52, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (uu) One (1) product storage tank, identified as EU-TK 53, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (vv) One (1) over pressurization temporary accumulation vessel, identified as EU-V 61, installed in 1997, attached to the catalytic thermal oxidizer, capacity: 165 gallons. Under 40 CFR 61, Subpart V, 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (ww) Small pilot solvent recycling unit, identified as EU-SP, attached to the catalytic thermal oxidizer, batch capacity: 165 gallons.
- (xx) One (1) solid dispersion unit, identified as EU-SD 1, consisting of one (1) 250 gallon tub and one (1) dispenser, exhausted through Stacks SD 1 and FI 1, vented to a catalytic thermal oxidizer, identified as FI 1, throughput capacity: 4,800 gallons per day. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and PP, this is considered an affected facility.

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

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

#### **E.1.1 General Provisions Relating to NESHAP, Subpart V [326 IAC 14-8] [40 CFR Part 61, Subpart A]**

Pursuant to 40 CFR 63.7565 the Permittee shall comply with the provisions 40 CFR Part 61, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 14-8 for EU-VD 1/EU-TK 22, EU-Col 1/EU-TK 18, EU-Col 2/EU-TK 19, EU-VP 1, EU-DP 1/EU-TK 20, EU-TF 1, EU-TF 2, FI 1, EU-TK 40, EU-TK 41, EU-V 61 EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-

TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 39, EU-TK 42, EU-TK 50, EU-TK 51, EU-TK 52, EU-TK 53, and EU-SD 1, as specified by 40 CFR 61.240(b).

#### E.1.2 NESHAP, Subpart V, Requirements [40 CFR Part 61, Subpart V] [326 IAC 14-8]

Pursuant to 40 CFR Part 61, Subpart V, the Permittee shall comply with the provisions of 40 CFR Part 61, Subpart V, which are incorporated by reference as 326 IAC 14-8 for the EU-VD 1/EU-TK 22, EU-Col 1/EU-TK 18, EU-Col 2/EU-TK 19, EU-VP 1, EU-DP 1/EU-TK 20, EU-TF 1, EU-TF 2, FI 1, EU-TK 40, EU-TK 41, EU-V 61 EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 39, EU-TK 42, EU-TK 50, EU-TK 51, EU-TK 52, EU-TK 53, and EU-SD 1, as specified as follows.

#### **§ 61.240 Applicability and designation of sources.**

(a) The provisions of this subpart apply to each of the following sources that are intended to operate in volatile hazardous air pollutant (VHAP) service: pumps, compressors, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, and control devices or systems required by this subpart.

(b) The provisions of this subpart apply to the sources listed in paragraph (a) after the date of promulgation of a specific subpart in part 61.

(c) While the provisions of this subpart are effective, a source to which this subpart applies that is also subject to the provisions of 40 CFR part 60 only will be required to comply with the provisions of this subpart.

#### **§ 61.241 Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act, in subpart A of part 61, or in specific subparts of part 61; and the following terms shall have specific meaning given them:

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

*Closed-vent system* means a system that is not open to atmosphere and that is composed of hard-piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device or back to a process.

*Connector* means flanged, screwed, welded, or other joined fittings used to connect two pipe lines or a pipe line and a piece of equipment. For the purpose of reporting and recordkeeping, connector means flanged fittings that are not covered by insulation or other materials that prevent location of the fittings.

*Control device* means an enclosed combustion device, vapor recovery system, or flare.

*Double block and bleed system* means two block valves connected in series with a bleed valve or line that can vent the line between the two block valves.

*Duct work* means a conveyance system such as those commonly used for heating and ventilation systems. It is often made of sheet metal and often has sections connected by screws or crimping. Hard-piping is not ductwork.

*Equipment* means each pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, surge control vessel, bottoms receiver in VHAP service, and any control devices or systems required by this subpart.

*First attempt at repair* means to take rapid action for the purpose of stopping or reducing leakage of organic material to atmosphere using best practices.

*In gas/vapor service* means that a piece of equipment contains process fluid that is in the gaseous state at operating conditions.

*Fuel gas* means gases that are combusted to derive useful work or heat.

*Fuel gas system* means the offsite and onsite piping and flow and pressure control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as fuel gas in combustion devices or in-process combustion equipment, such as furnaces and gas turbines, either singly or in combination.

*Hard-piping* means pipe or tubing that is manufactured and properly installed using good engineering judgement and standards such as ASME B31.3, Process Piping (available from the American Society of Mechanical Engineers, PO Box 2900, Fairfield, NJ 07007-2900).

*In liquid service* means that a piece of equipment is not in gas/vapor service.

*In-situ* sampling systems means nonextractive samplers or in-line samplers.

*In vacuum service* means that equipment is operating at an internal pressure which is at least 5 kilopascals (kPa) (0.7 psia) below ambient pressure.

*In VHAP service* means that a piece of equipment either contains or contacts a fluid (liquid or gas) that is at least 10 percent by weight a volatile hazardous air pollutant (VHAP) as determined according to the provisions of §61.245(d). The provisions of §61.245(d) also specify how to determine that a piece of equipment is not in VHAP service.

*In VOC service* means, for the purposes of this subpart, that (a) the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight (see 40 CFR 60.2 for the definition of volatile organic compound or VOC and 40 CFR 60.485(d) to determine whether a piece of equipment is not in VOC service) and (b) the piece of equipment is not in heavy liquid service as defined in 40 CFR 60.481.

*Maximum true vapor pressure* means the equilibrium partial pressure exerted by the total VHAP in the stored or transferred liquid at the temperature equal to the highest calendar-month average of the liquid storage or transfer temperature for liquids stored or transferred above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for liquids stored or transferred at the ambient temperature, as determined:

(1) In accordance with methods described in American Petroleum Institute Publication 2517, Evaporative Loss From External Floating-Roof Tanks (incorporated by reference as specified in §61.18); or

(2) As obtained from standard reference texts; or

(3) As determined by the American Society for Testing and Materials Method D2879-83, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope (incorporated by reference as specified in §61.18); or

(4) Any other method approved by the Administrator.

*Open-ended valve or line* means any valve, except pressure relief valves, having one side of the valve seat in contact with process fluid and one side open to atmosphere, either directly or through open piping.

*Pressure release* means the emission of materials resulting from the system pressure being greater than the set pressure of the pressure relief device.

*Process unit* means equipment assembled to produce a VHAP or its derivatives as intermediates or final products, or equipment assembled to use a VHAP in the production of a product. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient product storage facilities.

*Process unit shutdown* means a work practice or operational procedure that stops production from a process unit or part of a process unit. An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours is not a process unit shutdown. The use of spare equipment and technically feasible bypassing of equipment without stopping production are not process unit shutdowns.

*Repaired* means that equipment is adjusted, or otherwise altered, to eliminate a leak.

*Sampling connection system* means an assembly of equipment within a process unit used during periods of representative operation to take samples of the process fluid. Equipment used to take non-routine grab samples is not considered a sampling connection system.

*Semiannual* means a 6-month period; the first semiannual period concludes on the last day of the last month during the 180 days following initial startup for new sources; and the first semiannual period concludes on the last day of the last full month during the 180 days after the effective date of a specific subpart that references this subpart for existing sources.

*Sensor* means a device that measures a physical quantity or the change in a physical quantity, such as temperature, pressure, flow rate, pH, or liquid level.

*Stuffing box pressure* means the fluid (liquid or gas) pressure inside the casing or housing of a piece of equipment, on the process side of the inboard seal.

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

*Volatile hazardous air pollutant* or *VHAP* means a substance regulated under this part for which a standard for equipment leaks of the substance has been proposed and promulgated. Benzene is a VHAP. Vinyl chloride is a VHAP.

[49 FR 23513, June 6, 1984; 49 FR 38946, Oct. 2, 1984, as amended at 51 FR 34915, Sept. 30, 1986; 54 FR 38076, Sept. 14, 1989; 65 FR 62158, Oct. 17, 2000; 65 FR 78280, Dec. 14, 2000]

#### **§ 61.242-1 Standards: General.**

(d) Each piece of equipment to which this subpart applies shall be marked in such a manner that it can be distinguished readily from other pieces of equipment.

#### **§ 61.242-2 Standards: Pumps.**

(a)(1) Each pump shall be monitored monthly to detect leaks by the methods specified in §61.245(b), except as provided in §61.242–1(c) and paragraphs (d), (e), (f) and (g) of this section.

(2) Each pump shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal.

(b)(1) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(2) If there are indications of liquids dripping from the pump seal, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §61.242–10.

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

(d) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of paragraphs (a) and (b) of this section, provided the following requirements are met:

(1) Each dual mechanical seal system is:

(i) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(ii) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed-vent system to a control device that complies with the requirements of §61.242-11; or

(iii) Equipped with a system that purges the barrier fluid into a process stream with zero VHAP emissions to atmosphere.

(2) The barrier fluid is not in VHAP service and, if the pump is covered by standards under 40 CFR part 60, is not in VOC service.

(3) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.

(4) Each pump is checked by visual inspection each calendar week for indications of liquids dripping from the pump seal.

(i) If there are indications of liquid dripping from the pump seal at the time of the weekly inspection, the pump shall be monitored as specified in §61.245 to determine the presence of VOC and VHAP in the barrier fluid.

(ii) If the monitor reading (taking into account any background readings) indicates the presence of VHAP, a leak is detected. For the purpose of this paragraph, the monitor may be calibrated with VHAP, or may employ a gas chromatography column to limit the response of the monitor to VHAP, at the option of the owner or operator.

(iii) If an instrument reading of 10,000 ppm or greater (total VOC) is measured, a leak is detected.

(5) Each sensor as described in paragraph (d)(3) of this section is checked daily or is equipped with an audible alarm.

(6)(i) The owner or operator determines, based on design considerations and operating experience, criteria applicable to the presence and frequency of drips and to the sensor that indicates failure of the seal system, the barrier fluid system, or both.

(ii) If indications of liquids dripping from the pump seal exceed the criteria established in paragraph (d)(6)(i) of this section, or if, based on the criteria established in paragraph (d)(6)(i) of this section, the sensor indicates failure of the seal system, the barrier fluid system, or both, a leak is detected.

(iii) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in §61.242-10.

(iv) A first attempt at repair shall be made no later than five calendar days after each leak is detected.

(e) Any pump that is designated, as described in §61.246(e)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs (a), (c), and (d) if the pump:

(1) Has no externally actuated shaft penetrating the pump housing,

(2) Is demonstrated to be operating with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in §61.245(c), and

(3) Is tested for compliance with paragraph (e)(2) initially upon designation, annually, and at other times requested by the Administrator.

(f) If any pump is equipped with a closed-vent system capable of capturing and transporting any leakage from the seal or seals to a process or fuel gas system or to a control device that complies with the requirements of §61.242–11, it is exempt from the requirements of paragraphs (a) through (e) of this section.

(g) Any pump that is designated, as described in §61.246(f)(1), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of paragraphs (a) and (d)(4) through (6) of this section if:

(1) The owner or operator of the pump demonstrates that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a) of this section; and

(2) The owner or operator of the pump has a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times but not more frequently than the periodic monitoring schedule otherwise applicable, and repair of the equipment according to the procedures in paragraph (c) of this section if a leak is detected.

(h) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirement of paragraphs (a)(2) and (d)(4) of this section, and the daily requirements of paragraph (d)(5) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.

[49 FR 23513, June 6, 1984, as amended at 49 FR 38946, Oct. 2, 1984; 55 FR 28349, July 10, 1990; 65 FR 78281, Dec. 14, 2000]

#### **§ 61.242-4 Standards: Pressure relief devices in gas/vapor service.**

(a) Except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in §61.245(c).

(b)(1) After each pressure release, the pressure relief device shall be returned to a condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in §61.242–10.

(2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the condition of no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the method specified in §61.245(c).

(c) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed-vent system capable of capturing and transporting leakage from the pressure relief device to a control device as described in §61.242–11 is exempt from the requirements of paragraphs (a) and (b) of this section.

(d)(1) Any pressure relief device that is equipped with a rupture disk upstream of the pressure relief device is exempt from the requirements of paragraphs (a) and (b) of this section, provided the owner or operator complies with the requirements in paragraph (d)(2) of this section.

(2) After each pressure release, a new rupture disk shall be installed upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in §61.242–10.

[49 FR 23513, June 6, 1984; 49 FR 38946, Oct. 2, 1984, as amended at 65 FR 78281, Dec. 14, 2000]

**§ 61.242-5 Standards: Sampling connecting systems.**

(a) Each sampling connection system shall be equipped with a closed-purge, closed-loop, or closed vent system, except as provided in §61.242–1(c). Gases displaced during filling of the sample container are not required to be collected or captured.

(b) Each closed-purge, closed-loop, or closed vent system as required in paragraph (a) of this section shall comply with the requirements specified in paragraphs (b)(1) through (4) of this section:

(1) Return the purged process fluid directly to the process line; or

(2) Collect and recycle the purged process fluid; or

(3) Be designed and operated to capture and transport all the purged process fluid to a control device that complies with the requirements of §61.242–11; or

(4) Collect, store, and transport the purged process fluid to any of the following systems or facilities:

(i) A waste management unit as defined in 40 CFR 63.111 if the waste management unit is subject to and operated in compliance with the provisions of 40 CFR part 63, subpart G, applicable to Group 1 wastewater streams; or

(ii) A treatment, storage, or disposal facility subject to regulation under 40 CFR part 262, 264, 265, or 266; or

(iii) A facility permitted, licensed, or registered by a State to manage municipal or industrial solid waste, if the process fluids are not hazardous waste as defined in 40 CFR part 261.

(c) In-situ sampling systems and sampling systems without purges are exempt from the requirements of paragraphs (a) and (b) of this section.

[65 FR 78281, Dec. 14, 2000]

**§ 61.242-6 Standards: Open-ended valves or lines.**

(a)(1) Each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve, except as provided in §61.242–1(c).

(2) The cap, blind flange, plug, or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.

(b) Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

(c) When a double block and bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with paragraph (a) at all other times.

(d) Open-ended valves or lines in an emergency shutdown system which are designed to open automatically in the event of a process upset are exempt from the requirements of paragraphs (a), (b) and (c) of this section.

(e) Open-ended valves or lines containing materials which would autocatalytically polymerize or would present an explosion, serious overpressure, or other safety hazard if capped or equipped with a double block and bleed system as specified in paragraphs (a) through (c) of this section are exempt from the requirements of paragraphs (a) through (c) of this section.

[49 FR 23513, June 6, 1984, as amended at 65 FR 78282, Dec. 14, 2000]

**§ 61.242-7 Standards: Valves.**

(a) Each valve shall be monitored monthly to detect leaks by the method specified in §61.245(b) and shall comply with paragraphs (b)–(e), except as provided in paragraphs (f), (g), and (h) of this section, §61.243–1 or §61.243–2, and §61.242–1(c).

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected.

(2) If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

(d)(1) When a leak is detected, it shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected, except as provided in §61.242–10.

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

(e) First attempts at repair include, but are not limited to, the following best practices where practicable:

(1) Tightening of bonnet bolts;

(2) Replacement of bonnet bolts;

(3) Tightening of packing gland nuts; and

(4) Injection of lubricant into lubricated packing.

(f) Any valve that is designated, as described in §61.246(e)(2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraph (a) if the valve:

(1) Has no external actuating mechanism in contact with the process fluid;

(2) Is operated with emissions less than 500 ppm above background, as measured by the method specified in §61.245(c); and

(3) Is tested for compliance with paragraph (f)(2) initially upon designation, annually, and at other times requested by the Administrator.

(g) Any valve that is designated, as described in §61.246(f)(1), as an unsafe-to-monitor valve is exempt from the requirements of paragraph (a) if:

(1) The owner or operator of the valve demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (a); and

(2) The owner or operator of the valve has a written plan that requires monitoring of the valve as frequent as practicable during safe-to-monitor times.

(h) Any valve that is designated, as described in §61.246(f)(2), as a difficult-to-monitor valve is exempt from the requirements of paragraph (a) if:

- (1) The owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface;
- (2) The process unit within which the valve is located is an existing process unit; and
- (3) The owner or operator of the valve follows a written plan that requires monitoring of the valve at least once per calendar year.

**§ 61.242-8 Standards: Pressure relief services in liquid service and connectors.**

(a) If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method at pressure relief devices in liquid service and connectors, the owner or operator shall follow either one of the following procedures, except as provided in §61.242-1(c):

(1) The owner or operator shall monitor the equipment within 5 days by the method specified in §61.245(b) and shall comply with the requirements of paragraphs (b) through (d) of this section.

(2) The owner or operator shall eliminate the visual, audible, olfactory, or other indication of a potential leak.

(b) If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

(c)(1) When a leak is detected, it shall be repaired as soon as practicable, but not later than 15 calendar days after it is detected, except as provided in §61.242-10.

(2) The first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

(d) First attempts at repair include, but are not limited to, the best practices described under §61.242-7(e).

[49 FR 23513, June 6, 1984; 49 FR 38946, Oct. 2, 1984, as amended at 65 FR 78282, Dec. 14, 2000]

**§ 61.242-9 Standards: Surge control vessels and bottoms receivers.**

Each surge control vessel or bottoms receiver that is not routed back to the process and that meets the conditions specified in table 1 or table 2 of this subpart shall be equipped with a closed-vent system capable of capturing and transporting any leakage from the vessel back to the process or to a control device as described in §61.242-11, except as provided in §61.242-1(c); or comply with the requirements of 40 CFR 63.119(b) or (c).

[65 FR 78282, Dec. 14, 2000]

**§ 61.242-11 Standards: Closed-vent systems and control devices.**

(a) Owners or operators of closed-vent systems and control devices used to comply with provisions of this subpart shall comply with the provisions of this section, except as provided in §61.242-1(c).

(b) Vapor recovery systems (for example, condensers and absorbers) shall be designed and operated to recover the organic vapors vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, whichever is less stringent.

(c) Enclosed combustion devices shall be designed and operated to reduce the VHAP emissions vented to them with an efficiency of 95 percent or greater, or to an exit concentration of 20 parts per million by volume, on a dry basis, corrected to 3 percent oxygen, whichever is less stringent, or to provide a minimum residence time of 0.50 seconds at a minimum temperature of 760 °C.

(d) Flares shall used to comply with this subpart shall comply with the requirements of §60.18.

(e) Owners or operators of control devices that are used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their design.

(f) Except as provided in paragraphs (i) through (k) of this section, each closed vent system shall be inspected according to the procedures and schedule specified in paragraph (f)(1) or (2) of this section, as applicable.

(1) If the vapor collection system or closed vent system is constructed of hard-piping, the owner or operator shall comply with the following requirements:

(i) Conduct an initial inspection according to the procedures in §61.245(b); and

(ii) Conduct annual visual inspections for visible, audible, or olfactory indications of leaks.

(2) If the vapor collection system or closed vent system is constructed of ductwork, the owner or operator shall:

(i) Conduct an initial inspection according to the procedures in §61.245(b); and

(ii) Conduct annual inspections according to the procedures in §61.245(b).

(g) Leaks, as indicated by an instrument reading greater than 500 parts per million by volume above background or by visual inspections, shall be repaired as soon as practicable except as provided in paragraph (h) of this section.

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

(2) Repair shall be completed no later than 15 calendar days after the leak is detected.

(h) Delay of repair of a closed vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be complete by the end of the next process unit shutdown.

(i) If a vapor collection system or closed vent system is operated under a vacuum, it is exempt from the inspection requirements of paragraphs (f)(1)(i) and (2) of this section.

(j) Any parts of the closed vent system that are designated, as described in paragraph (l)(1) of this section, as unsafe-to-inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (2) of this section if they comply with the following requirements:

(1) The owner or operator determines that the equipment is unsafe-to-inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraph (f)(1)(i) or (2) of this section; and

(2) The owner or operator has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.

(k) Any parts of the closed vent system that are designated, as described in paragraph (l)(2) of this section, as difficult-to-inspect are exempt from the inspection requirements of paragraphs (f)(1)(i) and (2) of this section if they comply with the following requirements:

(1) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and

(2) The owner or operator has a written plan that requires inspection of the equipment at least once every 5 years. A closed vent system is exempt from inspection if it is operated under a vacuum.

(l) The owner or operator shall record the following information:

(1) Identification of all parts of the closed vent system that are designated as unsafe-to-inspect, an explanation of why the equipment is unsafe-to-inspect, and the plan for inspecting the equipment.

(2) Identification of all parts of the closed vent system that are designated as difficult-to-inspect, an explanation of why the equipment is difficult-to-inspect, and the plan for inspecting the equipment.

(3) For each inspection during which a leak is detected, a record of the information specified in §61.246(c).

(4) For each inspection conducted in accordance with §61.245(b) during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(5) For each visual inspection conducted in accordance with paragraph (f)(1)(ii) of this section during which no leaks are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks were detected.

(m) Closed vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

[49 FR 23513, June 6, 1984; 49 FR 38946, Oct. 2, 1984, as amended at 51 FR 2702, Jan. 21, 1986; 65 FR 62158, Oct. 17, 2000; 65 FR 78282, Dec. 14, 2000]

## SECTION E.2

## NESHAP DD FACILITY OPERATION CONDITIONS

### NESHAP DD Storage Tanks, Containers, and Process Vents

- (b) One (1) vacuum distillation unit, identified as EU-VD 1, rated at 1.7 million British thermal units per hour, consisting one (1) vacuum pot, one (1) vacuum column, and one(1) vacuum condenser, equipped with a 600 gallon distillate receiver, identified as EU-TK 22, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1997, exhausting through Stacks VD 1 and FI 1, capacity: 9,600 gallons per 24 hours, holding capacity: 3,300 gallons of solvent. Under NESHAP 40 CFR 61 and NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (f) One (1) fractionation column No.1, identified as EU-Col 1, heat input capacity: 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK18, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1983, exhausted through Stacks CV 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (g) One (1) fractionation column No.2, identified as EU-Col 2, rated at 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK19, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1984, exhausted through Stacks CV 2 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (h) One (1) vacuum pump, identified as EU-VP 1, installed in 1994, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks VP 1 and FI 1, capacity: 275 cubic feet per minute peak. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (i) One (1) pot still, identified as EU-DP 1, installed in 1992, attached to 275 gallon distillate receiver, identified as EU-TK20, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stack DP 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (j) One (1) thin film evaporator No.1, identified as EU-TF 1, installed in 1984, equipped with a 450 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 1 and FI 1, throughput capacity: 14,400 gallons of solvent per twenty-four (24) hour period. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA this is considered an affected facility.
- (k) One (1) thin film evaporator No.2, identified as EU-TF 2, installed in 1990, equipped with a 350 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 2 and FI 1, throughput capacity: 14,400 gallons of solvent per 24 hours. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (m) One (1) natural gas-fired fume incinerator (catalytic thermal oxidizer), identified as FI 1, rated at 1.5 million British thermal units per hour, installed December 1997, exhausted through Stack FI 1, exhaust rate: 2,500 cubic feet per minute. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is an affected facility.

**NESHAP DD Storage Tanks, Containers, and Process Vents (continued)**

- (ee) One (1) product storage tank, identified as EU-TK 30, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ff) One (1) product storage tank, identified as EU-TK 31, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (gg) One (1) product storage tank, identified as EU-TK 32, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (hh) One (1) product storage tank, identified as EU-TK 33, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ii) One (1) product storage tank, identified as EU-TK 34, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (jj) One (1) product storage tank, identified as EU-TK 35, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (kk) One (1) product storage tank, identified as EU-TK 36, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ll) One (1) product storage tank, identified as EU-TK 37, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (mm) One (1) product storage tank, identified as EU-TK 38, installed in 1983, capacity: 10,000 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (nn) One (1) product storage tank, identified as EU-TK 39, installed in 2002, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 10,500 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (oo) One (1) product storage tank, identified as EU-TK 40, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (pp) One (1) product storage tank, identified as EU-TK 41, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

**NESHAP DD Storage Tanks, Containers, and Process Vents (continued)**

- (qq) One (1) product storage tank, identified as EU-TK 42, installed in 1984, capacity: 5,100 gallons of process water. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (rr) One (1) product storage tank, identified as EU-TK 50, installed in 1992, capacity: 6,900 gallons of waste volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ss) One (1) product storage tank, identified as EU-TK 51, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,800 gallons of volatile organic compounds and distillation heels. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (tt) One (1) product storage tank, identified as EU-TK 52, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (uu) One (1) product storage tank, identified as EU-TK 53, installed in 1995, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (vv) One (1) over pressurization temporary accumulation vessel, identified as EU-V 61, installed in 1997, attached to the catalytic thermal oxidizer, capacity: 165 gallons. Under 40 CFR 61, Subpart V, 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (ww) Small pilot solvent recycling unit, identified as EU-SP, attached to the catalytic thermal oxidizer, batch capacity: 165 gallons.
- (xx) One (1) solid dispersion unit, identified as EU-SD 1, consisting of one (1) 250 gallon tub and one (1) dispenser, exhausted through Stacks SD 1 and FI 1, vented to a catalytic thermal oxidizer, identified as FI 1, throughput capacity: 4,800 gallons per day. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and PP, this is considered an affected facility.

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

**E.2.1 General Provisions Relating to NESHAP, Subpart DD [326 IAC 20-23] [40 CFR Part 63, Subpart A]**

Pursuant to 40 CFR 63.7565 the Permittee shall comply with the provisions 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-23 for the EU-VD 1/EU-TK 22, EU-Col 1/EU-TK 18, EU-Col 2/EU-TK 19, EU-VP 1, EU-DP 1/EU-TK 20, EU-TF 1, EU-TF 2, FI 1, EU-TK 40, EU-TK 41, EU-V 61 EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 39, EU-TK 42, EU-TK 50, EU-TK 51, EU-TK 52, EU-TK 53, and EU-SD 1, as specified in Table 2 of 40 CFR Part 63, Subpart DD in accordance with the schedule in 40 CFR 63 Subpart DD.

**E.2.2 NESHAP, Subpart DD, Requirements [40 CFR Part 63, Subpart DD] [326 IAC 20-23]**

Pursuant to 40 CFR Part 63, Subpart DD, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart DD, which are incorporated by reference as 326 IAC 20-23 for the EU-VD 1, EU-Col 1, EU-Col 2, EU-VP 1, EU-DP 1, EU-TF 1, EU-TF 2, FI 1, EU-TK 40, EU-TK 41, EU-V 61, EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 39, EU-TK 42, EU-TK 50, EU-TK 51, EU-TK 52, EU-TK 53, and EU-SD 1, as specified as follows.

**§ 63.680 *Applicability and designation of affected sources.***

(a) The provisions of this subpart apply to the owner and operator of a plant site for which both of the conditions specified in paragraphs (a)(1) and (a)(2) of this section are applicable. If either one of these conditions does not apply to the plant site, then the owner and operator of the plant site are not subject to the provisions of this subpart.

(1) The plant site is a major source of hazardous air pollutant (HAP) emissions as defined in 40 CFR 63.2.

(2) At the plant site is located one or more of operations that receives off-site materials as specified in paragraph (b) of this section and the operations is one of the following waste management operations or recovery operations as specified in paragraphs (a)(2)(i) through (a)(2)(vi) of this section.

(i) A waste management operation that receives off-site material and the operation is regulated as a hazardous waste treatment, storage, and disposal facility (TSDF) under either 40 CFR part 264 or part 265.

(v) A recovery operation that recycles or reprocesses used solvent which is an off-site material and the operation is not part of a chemical, petroleum, or other manufacturing process that is required to use air emission controls by another subpart of 40 CFR part 63 or 40 CFR part 61.

(b) For the purpose of implementing this subpart, an off-site material is a material that meets all of the criteria specified in paragraph (b)(1) of this section but is not one of the materials specified in paragraph (b)(2) of this section.

(1) An off-site material is a material that meets all of the criteria specified in paragraphs (b)(1)(i) through (b)(1)(iii) of this section. If any one of these criteria do not apply to the material, then the material is not an off-site material subject to this subpart.

(i) The material is a waste, used oil, or used solvent as defined in §63.681 of this subpart;

(ii) The waste, used oil, or used solvent is not produced or generated within the plant site, but the material is delivered, transferred, or otherwise moved to the plant site from a location outside the boundaries of the plant site; and

(iii) The waste, used oil, or used solvent contains one or more of the hazardous air pollutants (HAP) listed in Table 1 of this subpart based on the composition of the material at the point-of-delivery, as defined in §63.681 of this subpart.

(c) *Affected sources* —(1) *Off-site material management units.* For each operation specified in paragraphs (a)(2)(i) through (a)(2)(vi) of this section that is located at the plant site, the affected source is the entire group of off-site material management units associated with the operation. An off-site material management unit is a tank, container, surface impoundment, oil-water separator, organic-water separator, or transfer system used to manage off-site material. For the purpose of implementing the standards under this subpart, a unit that meets the definition of a tank or container but also is equipped with a vent that serves as a process vent for any of the processes listed in paragraphs (c)(2)(i) through (c)(2)(vi) of this section is not an off-site material management unit but instead is a process vent and is to be included in the appropriate affected source group under paragraph (c)(2) of this section. Examples of such a unit may include, but are not limited to, a distillate receiver vessel, a primary condenser, a bottoms receiver vessel, a surge control tank, a separator tank, and a hot well.

(2) *Process vents.* For each operation specified in paragraphs (a)(2)(i) through (a)(2)(vi) of this section that is located at the plant site, the affected source is the entire group of process equipment associated with the process vents for the processes listed in paragraphs (c)(2)(i) through (c)(2)(vi) of this section.

(i) Distillation process used for the treatment, recycling, or recovery of off-site material. Distillation means a process, either batch or continuous, separating one or more off-site material feed streams into two or more exit streams having different component concentrations from those in the feed stream or streams. The separation is achieved by the redistribution of the components between the liquid and vapor phases as they approach equilibrium within the distillation unit.

(ii) Fractionation process used for the treatment, recycling, or recovery of off-site material. Fractionation means a liquid mixture separation process or method used to separate a mixture of several volatile components of different boiling points in successive stages, each stage removing from the mixture some proportion of one of the components.

(iii) Thin-film evaporation process used for the treatment, recycling, or recovery of off-site material. Thin-film evaporation means a liquid mixture separation process or method that uses a heating surface consisting of a large diameter tube that may be either straight or tapered, horizontal or vertical. Liquid is spread on the tube wall by a rotating assembly of blades that maintain a close clearance from the wall or actually ride on the film of liquid on the wall.

(3) *Equipment leaks.* For each operation specified in paragraphs (a)(2)(i) through (a)(2)(vi) of this section that is located at the plant site, the affected source is the entire group of equipment components for which each component meets all of the conditions specified in paragraphs (c)(3)(i) through (c)(3)(iii) of this section. If any one of these conditions do not apply to an equipment component, then that component is not part of the affected source for equipment leaks.

(i) The equipment component is a pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, or instrumentation system;

(ii) The equipment component contains or contacts off-site material having a total HAP concentration equal to or greater than 10 percent by weight; and

(iii) The equipment component is intended to operate for 300 hours or more during a calendar year in off-site material service, as defined in §63.681 of this subpart.

(e) *Compliance dates —(1) Existing sources.* The owner or operator of an affected source that commenced construction or reconstruction before October 13, 1994, must achieve compliance with the provisions of this subpart on or before the date specified in paragraph (e)(1)(i) or (e)(1)(ii) of this section as applicable to the affected source.

(i) For an affected source that commenced construction or reconstruction before October 13, 1994 and receives off-site material for the first time before February 1, 2000, the owner or operator of this affected source must achieve compliance with the provisions of the subpart on or before February 1, 2000 unless an extension has been granted by the Administrator as provided in 40 CFR 63.6(i).

(ii) For an affected source that commenced construction or reconstruction before October 13, 1994, but receives off-site material for the first time on or after February 1, 2000, the owner or operator of the affected source must achieve compliance with the provisions of this subpart upon the first date that the affected source begins to manage off-site material.

(f) The provisions of 40 CFR part 63, subpart A—General Provisions that apply and those that do not apply to this subpart are specified in Table 2 of this subpart.

[61 FR 34158, July 1, 1996, as amended at 65 FR 38963, July 20, 1999]

### **§ 63.681 Definitions.**

All terms used in this subpart shall have the meaning given to them in this section, 40 CFR 63.2 of this part, and the Act.

*Boiler* means an enclosed combustion device that extracts useful energy in the form of steam and is not an incinerator or a process heater.

*Closed-vent system* means a system that is not open to the atmosphere and is composed of hard-piping, ductwork, connections, and, if necessary, fans, blowers, or other flow-inducing devices that conveys gas or vapor from an emission point to a control device.

*Closure device* means a cap, hatch, lid, plug, seal, valve, or other type of fitting that prevents or reduces air pollutant emissions to the atmosphere by blocking an opening in a cover when the device is secured in the closed position. Closure devices include devices that are detachable from the cover (e.g., a sampling port cap), manually operated (e.g., a hinged access lid or hatch), or automatically operated (e.g., a spring-loaded pressure relief valve).

*Container* means a portable unit used to hold material. Examples of containers include but are not limited to drums, dumpsters, roll-off boxes, bulk cargo containers commonly known as "portable tanks" or "totes", cargo tank trucks, and tank rail cars.

*Continuous record* means documentation of data values measured at least once every 15 minutes and recorded at the frequency specified in this subpart.

*Continuous recorder* means a data recording device that either records an instantaneous data value at least once every 15 minutes or records 15-minutes or more frequent block averages.

*Continuous seal* means a seal that forms a continuous closure that completely covers the space between the edge of the floating roof and the wall of a tank. A continuous seal may be a vapor-mounted seal, liquid-mounted seal, or metallic shoe seal. A continuous seal may be constructed of fastened segments so as to form a continuous seal.

*Control device* means equipment used for recovering, removing, oxidizing, or destroying organic vapors. Examples of such equipment include but are not limited to carbon adsorbers, condensers, vapor incinerators, flares, boilers, and process heaters.

*Cover* means a device or system that provides a continuous barrier over the material managed in an off-site material management unit to prevent or reduce air pollutant emissions to the atmosphere. A cover may have openings needed for operation, inspection, sampling, maintenance, and repair of the unit provided that each opening is closed when not in use (e.g., access hatches, sampling ports). A cover may be a separate piece of equipment which can be detached and removed from the unit or a cover may be formed by structural features permanently integrated into the design of the unit.

*Emission point* means an individual tank, surface impoundment, container, oil-water or organic-water separator, transfer system, process vent, or enclosure.

*Enclosure* means a structure that surrounds a tank or container, captures organic vapors emitted from the tank or container, and vents the captured vapor through a closed vent system to a control device.

*External floating roof* means a pontoon-type or double-deck type cover that rests on the liquid surface in a tank with no fixed roof.

*Fixed roof* means a cover that is mounted on a unit in a stationary position and does not move with fluctuations in the level of the liquid managed in the unit.

*Flame zone* means the portion of the combustion chamber in a boiler or process heater occupied by the flame envelope.

*Floating roof* means a cover consisting of a double deck, pontoon single deck, or internal floating cover which rests upon and is supported by the liquid being contained, and is equipped with a continuous seal.

*Flow indicator* means a device that indicates whether gas is flowing, or whether the valve position would allow gas to flow in a bypass line.

*Hard-piping* means pipe or tubing that is manufactured and properly installed in accordance with relevant standards and good engineering practices.

*Hazardous air pollutants* or *HAP* means the specific organic chemical compounds, isomers, and mixtures listed in Table 1 of this subpart.

*Hazardous waste* means a waste that is determined to be hazardous under the Resource Conservation and Recovery Act (PL 94–580) (RCRA), as implemented by 40 CFR parts 260 and 261.

*Individual drain system* means a stationary system used to convey wastewater streams or residuals to a waste management unit or to discharge or disposal. The term includes hard-piping, all drains and junction boxes, together with their associated sewer lines and other junction boxes (e.g., manholes, sumps, and lift stations) conveying wastewater streams or residuals. For the purpose of this subpart, an individual drain system is not a drain and collection system that is designed and operated for the sole purpose of collecting rainfall runoff (e.g., stormwater sewer system) and is segregated from all other individual drain systems.

*Internal floating roof* means a cover that rests or floats on the liquid surface (but not necessarily in complete contact with it inside a tank that has a fixed roof).

*Light-material service* means the container is used to manage an off-site material for which both of the following conditions apply: the vapor pressure of one or more of the organic constituents in the off-site material is greater than 0.3 kilopascals (kPa) at 20 °C; and the total concentration of the pure organic constituents having a vapor pressure greater than 0.3 kPa at 20 °C is equal to or greater than 20 percent by weight.

*Liquid-mounted seal* means a foam- or liquid-filled continuous seal mounted in contact with the liquid in a unit.

*Maximum HAP vapor pressure* means the sum of the individual HAP equilibrium partial pressure exerted by an off-site material at the temperature equal to either: the local maximum monthly average temperature as reported by the National Weather Service when the off-site material is stored or treated at ambient temperature; or the highest calendar-month average temperature of the off-site material when the off-site material is stored at temperatures above the ambient temperature or when the off-site material is stored or treated at temperatures below the ambient temperature. For the purpose of this subpart, maximum HAP vapor pressure is determined using the procedures specified in §63.694(j) of this subpart.

*Metallic shoe seal* means a continuous seal that is constructed of metal sheets which are held vertically against the wall of the tank by springs, weighted levers, or other mechanisms and is connected to the floating roof by braces or other means. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

*No detectable organic emissions* means no escape of organics to the atmosphere as determined using the procedure specified in §63.694(k) of this subpart.

*Off-site material* means a material that meets all of the criteria specified in paragraph §63.680(b)(1) of this subpart but is not one of the materials specified in §63.680(b)(2) of this subpart.

*Off-site material management unit* means a tank, container, surface impoundment, oil-water separator, organic-water separator, or transfer system used to manage off-site material.

*Off-site material service* means any time when a pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, or instrumentation system contains or contacts off-site material.

*Off-site material stream* means an off-site material produced or generated by a particular process or source such that the composition and form of the material comprising the stream remain consistent. An off-site material stream may be delivered, transferred, or otherwise moved to the plant site in a continuous flow of material (e.g., wastewater flowing through a pipeline) or in a series of discrete batches of material (e.g., a truckload of drums all containing the same off-site material or multiple bulk truck loads of an off-site material produced by the same process).

*Oil-water separator* means a separator as defined for this subpart that is used to separate oil from water.

*Operating parameter value* means a minimum or maximum value established for a control device or treatment process parameter which, if achieved by itself or in combination with one or more other operating parameter values, determines that an owner or operator has complied with an applicable emission limitation or standard.

*Organic-water separator* means a separator as defined for this subpart that is used to separate organics from water.

*Plant site* means all contiguous or adjoining property that is under common control including properties that are separated only by a road or other public right-of-way. Common control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination thereof. A unit or group of units within a contiguous property that are not under common control (e.g., a wastewater treatment unit or solvent recovery unit located at the site but is sold to a different company) is a different plant site.

*Point-of-delivery* means the point at the boundary or within the plant site where the owner or operator first accepts custody, takes possession, or assumes responsibility for the management of an off-site material stream managed in a waste management operation or recovery operation specified in §63.680 (a)(2)(i) through (a)(2)(vi) of this subpart. The characteristics of an off-site material stream are determined prior to combining the off-site material stream with other off-site material streams or with any other materials.

*Point-of-treatment* means a point after the treated material exits the treatment process but before the first point downstream of the treatment process exit where the organic constituents in the treated material have the potential to volatilize and be released to the atmosphere. For the purpose of applying this definition to this subpart, the first point downstream of the treatment process exit is not a fugitive emission point due to an equipment leak from any of the following equipment components: pumps, compressors, valves, connectors, instrumentation systems, or safety devices.

*Process heater* means an enclosed combustion device that transfers heat released by burning fuel directly to process streams or to heat transfer liquids other than water.

*Process vent* means an open-ended pipe, stack, or duct through which a gas stream containing HAP is continuously or intermittently discharged to the atmosphere from any of the processes listed in §63.680(c)(2)(i) through (c)(2)(vi) of this section. For the purpose of this subpart, a process vent is none of the following: a pressure-relief vent or other vent that is used as a safety device (as defined in this section); an open-ended line or other vent that is subject to the equipment leak control requirements under §63.691 of this subpart; or a stack or other vent that is used to exhaust combustion products from a boiler, furnace, process heater, incinerator, or other combustion device.

*Recovery operation* means the collection of off-site material management units, process vents, and equipment components used at a plant site to manage an off-site material stream from the point-of-delivery through the point where the material has been recycled, reprocessed, or re-refined to obtain the intended product or to remove the physical and chemical impurities of concern.

*Safety device* means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions to prevent physical damage or permanent deformation to equipment by venting gases or vapors during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purpose of this subpart, a safety device is not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials.

*Separator* means a waste management unit, generally a tank, used to separate oil or organics from water. A separator consists of not only the separation unit but also the forebay and other separator basins, skimmers, weirs, grit chambers, sludge hoppers, and bar screens that are located directly after the individual drain system and prior to any additional treatment units such as an air flotation unit clarifier or biological treatment unit. Examples of a separator include, but are not limited to, an API separator, parallel-plate interceptor, and corrugated-plate interceptor with the associated ancillary equipment.

*Single-seal system* means a floating roof having one continuous seal. This seal may be vapor-mounted, liquid-mounted, or a metallic shoe seal.

*Surface impoundment* means a unit that is a natural topographical depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquids. Examples of surface impoundments include holding, storage, settling, and aeration pits, ponds, and lagoons.

*Tank* means a stationary unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support and is designed to hold an accumulation of liquids or other materials.

*Transfer system* means a stationary system for which the predominant function is to convey liquids or solid materials from one point to another point within a waste management operation or recovery operation. For the purpose of this subpart, the conveyance of material using a container (as defined for this subpart) or a self-propelled vehicle (e.g., a front-end loader) is not a transfer system. Examples of a transfer system include but are not limited to a pipeline, an individual drain system, a gravity-operated conveyor (such as a chute), and a mechanically-powered conveyor (such as a belt or screw conveyor).

*Temperature monitoring device* means a piece of equipment used to monitor temperature and having an accuracy of  $\pm 1$  percent of the temperature being monitored expressed in degrees Celsius ( $^{\circ}\text{C}$ ) or  $\pm 1.2$  degrees  $^{\circ}\text{C}$ , whichever value is greater.

*Treatment process* means a process in which an off-site material stream is physically, chemically, thermally, or biologically treated to destroy, degrade, or remove hazardous air pollutants contained in the off-site material. A treatment process can be composed of a single unit (e.g., a steam stripper) or a series of units (e.g., a wastewater treatment system). A treatment process can be used to treat one or more off-site material streams at the same time.

*Used oil* means any oil refined from crude oil or any synthetic oil that has been used and as a result of such use is contaminated by physical or chemical impurities. This definition is the same definition of "used oil" in 40 CFR 279.1.

*Used solvent* means a mixture of aliphatic hydrocarbons or a mixture of one and two ring aromatic hydrocarbons that has been used as a solvent and as a result of such use is contaminated by physical or chemical impurities.

*Vapor-mounted seal* means a continuous seal that is mounted such that there is a vapor space between the liquid in the unit and the bottom of the seal.

*Volatile organic hazardous air pollutant concentration* or *VOHAP concentration* means the fraction by weight of those compounds listed in Table 1 of this subpart that are in an off-site material as measured using Method 305 in appendix A of this part and expressed in terms of parts per million (ppm). As an alternative to using Method 305, an owner or operator may determine the HAP concentration of an off-site material using any one of the other test methods specified in §63.694(b)(2)(ii) of this subpart. When a test method specified in §63.694(b)(2)(ii) of this subpart other than Method 305 is used to determine the speciated HAP concentration of an off-site material, the individual compound concentration may be adjusted by the corresponding  $f_{m305}$  value listed in Table 1 of this subpart to determine a VOHAP concentration.

*Waste* means a material generated from industrial, commercial, mining, or agricultural operations or from community activities that is discarded, discharged, or is being accumulated, stored, or physically, chemically, thermally, or biologically treated prior to being discarded or discharged.

*Waste management operation* means the collection of off-site material management units, process vents, and equipment components used at a plant site to manage an off-site material stream from the point-of-delivery to the point where the waste exits or is discharged from the plant site or the waste is placed for on-site disposal in a unit not subject to this subpart (e.g., a waste incinerator, a land disposal unit).

*Waste stabilization process* means any physical or chemical process used to either reduce the mobility of hazardous constituents in a waste or eliminate free liquids as determined by Test Method 9095—Paint Filter Liquids Test in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846, Third Edition,

September 1986, as amended by Update I, November 15, 1992. (As an alternative, an owner or operator may use any more recent, updated version of Method 9095 approved by the EPA.) A waste stabilization process includes mixing the waste with binders or other materials and curing the resulting waste and binder mixture. Other synonymous terms used to refer to this process are "waste fixation" or "waste solidification." A waste stabilization process does not include the adding of absorbent materials to the surface of a waste, without mixing, agitation, or subsequent curing, to absorb free liquid.

[61 FR 34158, July 1, 1996, as amended at 64 FR 38964, July 20, 1999]

### SECTION E.3 NESHAP DD FACILITY OPERATION CONDITIONS

#### NESHAP DD Storage Tanks and Containers, and Process Vents

- (b) One (1) vacuum distillation unit, identified as EU-VD 1, rated at 1.7 million British thermal units per hour, consisting one (1) vacuum pot, one (1) vacuum column, and one(1) vacuum condenser, equipped with a 600 gallon distillate receiver, identified as EU-TK 22, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1997, exhausting through Stacks VD 1 and FI 1, capacity: 9,600 gallons per 24 hours, holding capacity: 3,300 gallons of solvent. Under NESHAP 40 CFR 61 and NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (f) One (1) fractionation column No.1, identified as EU-Col 1, heat input capacity: 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK18, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1983, exhausted through Stacks CV 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (g) One (1) fractionation column No.2, identified as EU-Col 2, rated at 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK19, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1984, exhausted through Stacks CV 2 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (h) One (1) vacuum pump, identified as EU-VP 1, installed in 1994, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks VP 1 and FI 1, capacity: 275 cubic feet per minute peak. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (i) One (1) pot still, identified as EU-DP 1, installed in 1992, attached to 275 gallon distillate receiver, identified as EU-TK20, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stack DP 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (j) One (1) thin film evaporator No.1, identified as EU-TF 1, installed in 1984, equipped with a 450 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 1 and FI 1, throughput capacity: 14,400 gallons of solvent per twenty-four (24) hour period. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA this is considered an affected facility.
- (k) One (1) thin film evaporator No.2, identified as EU-TF 2, installed in 1990, equipped with a 350 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 2 and FI 1, throughput capacity: 14,400 gallons of solvent per 24 hours. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (ee) One (1) product storage tank, identified as EU-TK 30, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.

- (ff) One (1) product storage tank, identified as EU-TK 31, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (gg) One (1) product storage tank, identified as EU-TK 32, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (hh) One (1) product storage tank, identified as EU-TK 33, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ii) One (1) product storage tank, identified as EU-TK 34, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (jj) One (1) product storage tank, identified as EU-TK 35, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (kk) One (1) product storage tank, identified as EU-TK 36, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ll) One (1) product storage tank, identified as EU-TK 37, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (mm) One (1) product storage tank, identified as EU-TK 38, installed in 1983, capacity: 10,000 gallons of spent volatile organic compound waste. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (nn) One (1) product storage tank, identified as EU-TK 39, installed in 2002, vented to a catalytic thermal oxidizer, capacity: 10,500 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (oo) One (1) product storage tank, identified as EU-TK 40, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (pp) One (1) product storage tank, identified as EU-TK 41, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (qq) One (1) product storage tank, identified as EU-TK 42, installed in 1984, capacity: 5,100 gallons of process water. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.

- (rr) One (1) product storage tank, identified as EU-TK 50, installed in 1992, capacity: 6,900 gallons of waste volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ss) One (1) product storage tank, identified as EU-TK 51, installed in 1995, vented to a catalytic thermal oxidizer, capacity: 6,800 gallons of volatile organic compounds and distillation heels. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (tt) One (1) product storage tank, identified as EU-TK 52, installed in 1995, vented to a catalytic thermal oxidizer, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (uu) One (1) product storage tank, identified as EU-TK 53, installed in 1995, vented to a catalytic thermal oxidizer, capacity: 6,900 gallons of volatile organic compounds. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, this is considered an affected facility.
- (vv) One (1) over pressurization temporary accumulation vessel, identified as EU-V 61, installed in 1997, attached to the catalytic thermal oxidizer, capacity: 165 gallons. Under 40 CFR 61, Subpart V, 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (xx) One (1) solid dispersion unit, identified as EU-SD 1, consisting of one (1) 250 gallon tub and one (1) dispenser, exhausted through Stacks SD 1 and FI 1, vented to a catalytic thermal oxidizer, throughput capacity: 4,800 gallons per day. Under NESHAP 40 CFR 61, Subpart V and NESHAPs 40 CFR 63, Subparts DD and PP, this is considered an affected facility.

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

#### E.3.1 General Provisions Relating to NESHAP, Subpart DD [326 IAC 20-23] [40 CFR Part 63, Subpart A]

Pursuant to 40 CFR 63.7565 the Permittee shall comply with the provisions 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-23 for EU-VD 1, EU-Col 1, EU-Col 2, EU-VP 1, EU-DP 1, EU-TF 1, EU-TF 2, FI 1, EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 39, EU-TK 40, EU-TK 41, EU-TK 42, EU-TK 50, EU-TK 51, EU-TK 52, EU-TK 53, EU-V 61, and EU-SD 1, as specified in Table 2 of 40 CFR Part 63, Subpart DD in accordance with the schedule in 40 CFR 63 Subpart DD.

#### E.3.2 NESHAP, Subpart DD, Requirements [40 CFR Part 63, Subpart DD] [326 IAC 20-23]

Pursuant to 40 CFR Part 63, Subpart DD, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart DDDDD, which are incorporated by reference as 326 IAC 20-95 for EU-VD 1, EU-Col 1, EU-Col 2, EU-VP 1, EU-DP 1, EU-TF 1, EU-TF 2, FI 1, EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 39, EU-TK 40, EU-TK 41, EU-TK 42, EU-TK 50, EU-TK 51, EU-TK 52, EU-TK 53, EU-V 61, and EU-SD 1, as specified as follows.

#### **§ 63.683 Standards: General.**

(b) *Off-site material management units.* (1) For each off-site material management unit that is part of an affected source, the owner or operator must meet the requirements in either paragraph (b)(1)(i), (b)(1)(ii), or (b)(1)(iii) of this section except for those off-site material management units exempted under paragraph (b)(2) of this section.

(i) The owner or operator controls air emissions from the off-site material management unit in accordance with the applicable standards specified in §§63.685 through 63.689 of this subpart.

(c) *Process vents.* (1) For each process vent that is part of an affected source, the owner or operator must meet the requirements in either paragraph (c)(1)(i) or (c)(1)(ii) of this section except for those process vents exempted under paragraph (c)(2) of this section.

(i) The owner or operator controls air emissions from the process vent in accordance with the standards specified in §63.690 of this subpart.

(d) *Equipment leaks.* The owner or operator must control equipment leaks from each equipment component that is part of the affected source specified in §63.680(c)(3) of this subpart by implementing leak detection and control measures in accordance with the standards specified in §63.691 of this subpart.

[64 FR 38965, July 20, 1999]

**§ 63.685 Standards: Tanks.**

(b) The owner or operator shall control air emissions from each tank subject to this section in accordance with the following applicable requirements:

(1) For a tank that is part of an existing affected source but the tank is not used to manage off-site material having a maximum HAP vapor pressure kilopascal (kPa) that is equal to or greater than 76.6 kPa nor is the tank used for a waste stabilization process as defined in §63.681 of this subpart, the owner or operator shall determine whether the tank is required to use either Tank Level 1 controls or Tank Level 2 controls as specified for the tank by Table 3 of this subpart based on the off-site material maximum HAP vapor pressure and the tank's design capacity. The owner or operator shall control air emissions from a tank required by Table 3 to use Tank Level 1 controls in accordance with the requirements of paragraph (c) of this section. The owner or operator shall control air emissions from a tank required by Table 3 to use Tank Level 2 controls in accordance with the requirements of paragraph (d) of this section.

(4) For a tank that manages off-site material having a maximum HAP vapor pressure that is equal to or greater than 76.6 kPa, the owner or operator must control air emissions by using one of the tanks specified in paragraphs (b)(4)(i) through (b)(4)(iii) of this section.

(i) A tank vented through a closed-vent system to a control device in accordance with the requirements specified in paragraph (g) of this section;

(c) Owners and operators controlling air emissions from a tank using Tank Level 1 controls shall meet the following requirements:

(1) The owner or operator shall determine the maximum HAP vapor pressure for an off-site material to be managed in the tank using Tank Level 1 controls before the first time the off-site material is placed in the tank. The maximum HAP vapor pressure shall be determined using the procedures specified in §63.694(j) of this subpart. Thereafter, the owner or operator shall perform a new determination whenever changes to the off-site material managed in the tank could potentially cause the maximum HAP vapor pressure to increase to a level that is equal to or greater than the maximum HAP vapor pressure limit for the tank design capacity category specified in Table 3 or Table 4 of this subpart, as applicable to the tank.

(2) The owner or operator must control air emissions from the tank in accordance with the requirements in either paragraph (c)(2)(i), (c)(2)(ii), or (c)(2)(iii) of this section, as applicable to the tank.

(i) The owner or operator controls air emissions from the tank in accordance with the provisions specified in subpart 00 of 40 CFR part 63—National Emission Standards for Tanks—Level 1.

(ii) As an alternative to meeting the requirements in paragraph (c)(2)(i) of this section, an owner or operator may control air emissions from the tank in accordance with the provisions for Tank Level 2 controls as specified in paragraph (d) of this section.

(iii) As an alternative to meeting the requirements in paragraph (c)(2)(i) of this section when a tank is used as an interim transfer point to transfer off-site material from containers to another off-site material management unit, an

owner or operator may control air emissions from the tank in accordance with the requirements in paragraphs (c)(2)(iii)(A) and (c)(2)(iii)(B) of this section. An example of such a tank is an in-ground tank into which organic-contaminated debris is dumped from roll-off boxes or dump trucks, and then this debris is promptly transferred from the tank to a macroencapsulation unit by a backhoe.

(A) During those periods of time when the material transfer activity is occurring, the tank may be operated without a cover.

(B) At all other times, air emissions from the tank must be controlled in accordance with the provisions specified in 40 CFR part 67, subpart 00—National Emission Standards for Tanks—Level 1.

(g) The owner or operator who controls tank air emissions by venting to a control device shall meet the requirements specified in paragraphs (g)(1) through (g)(3) of this section.

(1) The tank shall be covered by a fixed roof and vented directly through a closed-vent system to a control device in accordance with the following requirements:

(i) The fixed roof and its closure devices shall be designed to form a continuous barrier over the entire surface area of the liquid in the tank.

(ii) Each opening in the fixed roof not vented to the control device shall be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is operating, the closure devices shall be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device shall be designed to operate with no detectable organic emissions.

(iii) The fixed roof and its closure devices shall be made of suitable materials that will minimize exposure of the off-site material to the atmosphere, to the extent practical, and will maintain the integrity of the equipment throughout its intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices shall include: organic vapor permeability, the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

(iv) The closed-vent system and control device shall be designed and operated in accordance with the requirements of §63.693 of this subpart.

(2) Whenever an off-site material is in the tank, the fixed roof shall be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the control device except as follows:

(i) Venting to the control device is not required, and opening of closure devices or removal of the fixed roof is allowed at the following times:

(A) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.

(B) To remove accumulated sludge or other residues from the bottom of the tank.

(ii) Opening of a safety device, as defined in §63.681 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

(3) The owner or operator shall inspect and monitor the air emission control equipment in accordance with the procedures specified in §63.695 of this subpart.

(h) The owner or operator who elects to control tank air emissions by using a pressure tank shall meet the following requirements.

(1) The tank shall be designed not to vent to the atmosphere as a result of compression of the vapor headspace in the tank during filling of the tank to its design capacity.

(2) All tank openings shall be equipped with closure devices designed to operate with no detectable organic emissions as determined using the procedure specified in §63.694(k) of this subpart.

(3) Whenever an off-site material is in the tank, the tank shall be operated as a closed system that does not vent to the atmosphere except under either of the following conditions as specified in paragraph (h)(3)(i) or (h)(3)(ii) of this section.

(i) At those times when opening of a safety device, as defined in §63.681 of this subpart, is required to avoid an unsafe condition.

(ii) At those times when purging of inerts from the tank is required and the purge stream is routed to a closed-vent system and control device designed and operated in accordance with the requirements of §63.693 of this subpart.

(i) The owner or operator who elects to control air emissions by using an enclosure vented through a closed-vent system to an enclosed combustion control device shall meet the requirements specified in paragraphs (i)(1) through (4) of this section.

(1) The tank shall be located inside an enclosure. The enclosure shall be designed and operated in accordance with the criteria for a permanent total enclosure as specified in "Procedure T—Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, Appendix B. The enclosure may have permanent or temporary openings to allow worker access; passage of material into or out of the enclosure by conveyor, vehicles, or other mechanical means; entry of permanent mechanical or electrical equipment; or to direct airflow into the enclosure. The owner or operator shall perform the verification procedure for the enclosure as specified in Section 5.0 to "Procedure T—Criteria for and Verification of a Permanent or Temporary Total Enclosure" initially when the enclosure is first installed and, thereafter, annually.

(2) The enclosure shall be vented through a closed-vent system to an enclosed combustion control device that is designed and operated in accordance with the standards for either a vapor incinerator, boiler, or process heater specified in §63.693 of this subpart.

(3) Opening of a safety device, as defined in §63.681 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

(4) The owner or operator shall inspect and monitor the closed-vent system and control device as specified in §63.693.

[61 FR 34158, July 1, 1996, as amended at 64 FR 38968, July 20, 1999; 66 FR 1266, Jan. 8, 2001]

### **§ 63.688 Standards: Containers.**

(b) The owner or operator shall control air emissions from each container subject to this section in accordance with the following requirements, as applicable to the container, except when the special provisions for waste stabilization processes specified in paragraph (c) of this section apply to the container.

(3) For a container having a design capacity greater than 0.46 m<sup>3</sup> and the container is in light-material service as defined in §63.681 of this subpart, the owner or operator must control air emissions from the container in accordance with the requirements in either paragraph (b)(3)(i) or (b)(3)(ii) of this section.

(i) The owner or operator controls air emissions from the container in accordance with the standards for Container Level 2 controls as specified in 40 CFR part 63, subpart PP—National Emission Standards for Containers.

**§ 63.689 Standards: Transfer systems.**

(c) For each transfer system that is subject to this section but is not an individual drain system, the owner or operator shall control air emissions by using one of the transfer systems specified in paragraphs (c)(1) through (c)(3) of this section.

(2) A transfer system that consists of continuous hard-piping. All joints or seams between the pipe sections shall be permanently or semi-permanently sealed (e.g., a welded joint between two sections of metal pipe or a bolted and gasketed flange).

**§ 63.690 Standards: Process vents.**

(a) The provisions of this section apply to the control of air emissions from process vents for which §63.683(c)(1)(i) of this subpart references the use of this section for such air emission control.

(b) The owner or operator must route the vent stream from each affected process vent through a closed-vent system to a control device that meets the standards specified in §63.693 of this subpart. For the purpose of complying with this paragraph (b), a primary condenser is not a control device; however, a second condenser or other organic recovery device that is operated downstream of the primary condenser is considered a control device.

[64 FR 38970, July 20, 1999]

**§ 63.691 Standards: Equipment leaks.**

(b) The owner or operator shall control the HAP emitted from equipment leaks in accordance with the applicable provisions specified in either paragraph (b)(1) or (b)(2) of this section.

(1) The owner or operator controls the HAP emitted from equipment leaks in accordance with §61.242 through §61.247 in 40 CFR part 61, subpart V—National Emission Standards for Equipment Leaks; or

(2) The owner or operator controls the HAP emitted from equipment leaks in accordance with §63.162 through §63.182 in subpart H—National Emission Standards for Organic Hazardous Air Pollutants from Equipment Leaks.

[64 FR 38970, July 20, 1999, as amended at 66 FR 1266, Jan. 8, 2001]

**§ 63.693 Standards: Closed-vent systems and control devices.**

(a) The provisions of this section apply to closed-vent systems and control devices used to control air emissions for which another standard references the use of this section for such air emission control.

(b) For each closed-vent system and control device used to comply with this section, the owner or operator shall meet the following requirements:

(1) The owner or operator must use a closed-vent system that meets the requirements specified in paragraph (c) of this section.

(2) The owner or operator must use a control device that meets the requirements specified in paragraphs (d) through (h) of this section as applicable to the type and design of the control device selected by the owner or operator to comply with the provisions of this section.

(3) Whenever gases or vapors containing HAP are vented through a closed-vent system connected to a control device used to comply with this section, the control device must be operating except at those times listed in either paragraph (b)(3)(i) or (b)(3)(ii) of this section.

(i) The control device may be bypassed for the purpose of performing planned routine maintenance of the closed-vent system or control device in situations when the routine maintenance cannot be performed during periods that the emission point vented to the control device is shutdown. On an annual basis, the total time that the closed-vent system or control device is bypassed to perform routine maintenance shall not exceed 240 hours per each calendar year.

(ii) The control device may be bypassed for the purpose of correcting a malfunction of the closed-vent system or control device. The owner or operator shall perform the adjustments or repairs necessary to correct the malfunction as soon as practicable after the malfunction is detected.

(4) The owner or operator must inspect and monitor each closed-vent system in accordance with the requirements specified in either paragraph (b)(4)(i) or (b)(4)(ii) of this section.

(i) The owner or operator inspects and monitors the closed-vent system in accordance with the requirements specified in §63.695(c) of this subpart, and complies with the applicable recordkeeping requirements in §63.696 of this subpart and the applicable reporting requirements in §63.697 of this subpart.

(ii) As an alternative to meeting the requirements specified in paragraph (b)(4)(i) of this section, the owner or operator may choose to inspect and monitor the closed-vent system in accordance with the requirements under 40 CFR part 63, subpart H—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks as specified in 40 CFR 63.172(f) through (h), and complies with the applicable recordkeeping requirements in 40 CFR 63.181 and the applicable reporting requirements in 40 CFR 63.182.

(5) The owner or operator must monitor the operation of each control device in accordance with the requirements specified in paragraphs (d) through (h) of this section as applicable to the type and design of the control device selected by the owner or operator to comply with the provisions of this section.

(6) The owner or operator shall maintain records for each control device in accordance with the requirements of §63.696 of this subpart.

(7) The owner or operator shall prepare and submit reports for each control device in accordance with the requirements of §63.697 of this subpart.

(8) In the case when an owner or operator chooses to use a design analysis to demonstrate compliance of a control device with the applicable performance requirements specified in this section as provided for in paragraphs (d) through (g) of this section, the Administrator may request that the design analysis be revised or amended by the owner or operator to correct any deficiencies identified by the Administrator. If the owner or operator and the Administrator do not agree on the acceptability of using the design analysis (including any changes requested by the Administrator) to demonstrate that the control device achieves the applicable performance requirements, then the disagreement must be resolved using the results of a performance test conducted by the owner or operator in accordance with the requirements of §63.694(l) of this subpart. The Administrator may choose to have an authorized representative observe the performance test conducted by the owner or operator. Should the results of this performance test not agree with the determination of control device performance based on the design analysis, then the results of the performance test will be used to establish compliance with this subpart.

(c) Closed-vent system requirements.

(1) The vent stream required to be controlled shall be conveyed to the control device by either of the following closed-vent systems:

(i) A closed-vent system that is designed to operate with no detectable organic emissions using the procedure specified in §63.694(k) of this subpart; or

(ii) A closed-vent system that is designed to operate at a pressure below atmospheric pressure. The system shall be equipped with at least one pressure gage or other pressure measurement device that can be read from a readily accessible location to verify that negative pressure is being maintained in the closed-vent system when the control device is operating.

(2) In situations when the closed-vent system includes bypass devices that could be used to divert a vent stream from the closed-vent system to the atmosphere at a point upstream of the control device inlet, each bypass device must be equipped with either a flow indicator as specified in paragraph (c)(2)(i) of this section or a seal or locking device as specified in paragraph (c)(2)(ii) of this section. For the purpose of complying with this paragraph (c)(2), low leg drains, high point bleeds, analyzer vents, open-ended valves or lines, or pressure relief valves needed for safety reasons are not subject to the requirements of this paragraph (c)(2).

(i) If a flow indicator is used, the indicator must be installed at the entrance to the bypass line used to divert the vent stream from the closed-vent system to the atmosphere. The flow indicator must indicate a reading at least once every 15 minutes. The owner or operator must maintain records of the following information: hourly records of whether the flow indicator was operating and whether flow was detected at any time during the hour; and records of all periods when flow is detected or the flow indicator is not operating.

(ii) If a seal or locking device is used to comply with paragraph (c)(2) of this section, the device shall be placed on the mechanism by which the bypass device position is controlled ( e.g., valve handle, damper lever) when the bypass device is in the closed position such that the bypass device cannot be opened without breaking the seal or removing the lock. Examples of such devices include, but are not limited to, a car-seal or a lock-and-key configuration valve.

(f) Vapor incinerator control device requirements.

(1) The vapor incinerator must achieve the performance specifications in either paragraph (f)(1)(i), (f)(1)(ii), or (f)(1)(iii) of this section.

(i) Destroy the total organic compounds (TOC), less methane and ethane, contained in the vent stream entering the vapor incinerator either:

(A) By 95 percent or more, on a weight-basis, or

(B) To achieve a total incinerator outlet concentration for the TOC, less methane and ethane, of less than or equal to ppmv on a dry basis corrected to 3 percent oxygen.

(ii) Destroy the HAP listed in Table 1 of this subpart contained in the vent stream entering the vapor incinerator either:

(A) By 95 percent or more, on a total HAP weight-basis, or

(B) To achieve a total incinerator outlet concentration for the HAP, listed in Table 1 of this subpart, of less than or equal to ppmv on a dry basis corrected to 3 percent oxygen.

(iii) Maintain the conditions in the vapor incinerator combustion chamber at a residence time of 0.5 seconds or longer and at a temperature of 760°C or higher.

(2) The owner or operator must demonstrate that the vapor incinerator achieves the performance requirements in paragraph (f)(1) of this section by either performing a performance test as specified in paragraph (f)(2)(i) of this section or a design analysis as specified in paragraph (f)(2)(ii) of this section.

(i) An owner or operator choosing to use a performance test to demonstrate compliance must conduct the test in accordance with the requirements of §63.694(l) of this subpart.

(ii) An owner or operator choosing to use a design analysis to demonstrate compliance must include as part of this design analysis the information specified in either paragraph (f)(2)(ii)(A) or (f)(2)(ii)(B) of this section as applicable to the vapor incinerator design.

(A) For a thermal vapor incinerator, the design analysis shall address the vent stream composition, constituent concentrations, and flow rate and shall establish the design minimum and average temperatures in the combustion chamber and the combustion chamber residence time.

(B) For a catalytic vapor incinerator, the design analysis shall address the vent stream composition, constituent concentrations, and flow rate and shall establish the design minimum and average temperatures across the catalyst bed inlet and outlet, and the design service life of the catalyst.

(3) The owner or operator must monitor the operation of the vapor incinerator in accordance with the requirements of §63.695(e) of this subpart using one of the continuous monitoring systems specified in paragraphs (f)(3)(i) through (f)(3)(iv) of this section as applicable to the type of vapor incinerator used.

(i) For a thermal vapor incinerator, a continuous parameter monitoring system to measure and record the daily average temperature of the exhaust gases from the control device. The accuracy of the temperature monitoring device must be  $\pm 1$  percent of the temperature being measured, expressed in degrees Celsius of  $\pm 0.5$  °C, whichever is greater.

(ii) For a catalytic vapor incinerator, a temperature monitoring device capable of monitoring temperature at two locations equipped with a continuous recorder. One temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed inlet and a second temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed outlet.

(iii) For either type of vapor incinerator, a continuous monitoring system to measure and record the daily average concentration of organic compounds in the exhaust vent stream from the control device. The organic monitoring system must comply either with Performance Specification 8 or 9 in 40 CFR part 60, appendix B. The relative accuracy provision of Performance Specification 8, Sections 2.4 and 3 need not be conducted.

(iv) For either type of vapor incinerator, a continuous monitoring system that measures alternative operating parameters other than those specified in paragraph (f)(3)(i) or (f)(3)(ii) of this section upon approval of the Administrator as specified in 40 CFR 63.8(f)(1) through (f)(5) of this part.

#### **§ 63.694 Testing methods and procedures.**

(j) *Determination of maximum HAP vapor pressure for off-site material in a tank.* (1) The maximum HAP vapor pressure of the off-site material composition managed in a tank shall be determined using either direct measurement as specified in paragraph (j)(2) of this section or by knowledge of the off-site material as specified by paragraph (j)(3) of this section.

(2) Direct measurement to determine the maximum HAP vapor pressure of an off-site material.

(i) Sampling. A sufficient number of samples shall be collected to be representative of the off-site material contained in the tank. All samples shall be collected and handled in accordance with written procedures prepared by the owner or operator and documented in a site sampling plan. This plan shall describe the procedure by which representative samples of the off-site material is collected such that a minimum loss of organics occurs throughout the sample collection and handling process and by which sample integrity is maintained. A copy of the written sampling plan shall be maintained on-site in the plant site operating records. An example of an acceptable sampling plan includes a plan incorporating sample collection and handling procedures in accordance with the requirements specified in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 or Method 25D in 40 CFR part 60, appendix A.

(ii) Analysis. Any one of the following methods may be used to analyze the samples and compute the maximum HAP vapor pressure of the off-site material:

(A) Method 25E in 40 CFR part 60 appendix A;

(B) Methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from External Floating Roof Tanks,";

(C) Methods obtained from standard reference texts;

(D) ASTM Method 2879-83; or

(E) Any other method approved by the Administrator.

(3) Use of knowledge to determine the maximum HAP vapor pressure of the off-site material. Documentation shall be prepared and recorded that presents the information used as the basis for the owner's or operator's knowledge that the maximum HAP vapor pressure of the off-site material is less than the maximum vapor pressure limit listed in Table 3 or Table 4 of this subpart for the applicable tank design capacity category. Examples of information that may be used include: the off-site material is generated by a process for which at other locations it previously has been determined by direct measurement that the off-site material maximum HAP vapor pressure is less than the maximum vapor pressure limit for the appropriate tank design capacity category.

(k) Procedure for determining no detectable organic emissions for the purpose of complying with this subpart.

(1) The test shall be conducted in accordance with the procedures specified in Method 21 of 40 CFR part 60, appendix A. Each potential leak interface (i.e., a location where organic vapor leakage could occur) on the cover and associated closure devices shall be checked. Potential leak interfaces that are associated with covers and closure devices include, but are not limited to: the interface of the cover and its foundation mounting; the periphery of any opening on the cover and its associated closure device; and the sealing seat interface on a spring-loaded pressure-relief valve.

(2) The test shall be performed when the unit contains a material having a total organic concentration representative of the range of concentrations for the materials expected to be managed in the unit. During the test, the cover and closure devices shall be secured in the closed position.

(3) The detection instrument shall meet the performance criteria of Method 21 of 40 CFR part 60, appendix A, except the instrument response factor criteria in section 3.1.2(a) of Method 21 shall be for the average composition of the organic constituents in the material placed in the unit, not for each individual organic constituent.

(4) The detection instrument shall be calibrated before use on each day of its use by the procedures specified in Method 21 of 40 CFR part 60, appendix A.

(5) Calibration gases shall be as follows:

(i) Zero air (less than 10 ppmv hydrocarbon in air); and

(ii) A mixture of methane or n-hexane in air at a concentration of approximately, but less than, 10,000 ppmv.

(6) An owner or operator may choose to adjust or not adjust the detection instrument readings to account for the background organic concentration level. If an owner or operator chooses to adjust the instrument readings for the background level, the background level value must be determined according to the procedures in Method 21 of 40 CFR part 60, appendix A.

(7) Each potential leak interface shall be checked by traversing the instrument probe around the potential leak interface as close to the interface as possible, as described in Method 21. In the case when the configuration of the cover or closure device prevents a complete traverse of the interface, all accessible portions of the interface shall be sampled. In the case when the configuration of the closure device prevents any sampling at the interface and the device is equipped with an enclosed extension or horn (e.g., some pressure relief devices), the instrument probe inlet shall be placed at approximately the center of the exhaust area to the atmosphere.

(8) An owner or operator must determine if a potential leak interface operates with no detectable emissions using the applicable procedure specified in paragraph (k)(8)(i) or (k)(8)(ii) of this section.

(i) If an owner or operator chooses not to adjust the detection instrument readings for the background organic concentration level, then the maximum organic concentration value measured by the detection instrument is compared directly to the applicable value for the potential leak interface as specified in paragraph (k)(9) of this section.

(ii) If an owner or operator chooses to adjust the detection instrument readings for the background organic concentration level, the value of the arithmetic difference between the maximum organic concentration value measured by the instrument and the background organic concentration value as determined in paragraph (k)(6) of this section is compared with the applicable value for the potential leak interface as specified in paragraph (k)(9) of this section.

(9) A potential leak interface is determined to operate with no detectable emissions using the applicable criteria specified in paragraphs (k)(9)(i) and (k)(9)(ii) of this section.

(i) For a potential leak interface other than a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (k)(8) is less than 500 ppmv.

(ii) For a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (k)(8) is less than 10,000 ppmv.

(l) Control device performance test procedures.

(1) Method 1 or 1A of 40 CFR part 60, appendix A, as appropriate, shall be used for selection of the sampling sites at the inlet and outlet of the control device.

(i) To determine compliance with a control device percent reduction requirement, sampling sites shall be located at the inlet of the control device as specified in paragraphs (l)(1)(i)(A) and (l)(1)(i)(B) of this section, and at the outlet of the control device.

(A) The control device inlet sampling site shall be located after the final product recovery device.

(B) If a vent stream is introduced with the combustion air or as an auxiliary fuel into a boiler or process heater, the location of the inlet sampling sites shall be selected to ensure that the measurement of total HAP concentration or TOC concentration, as applicable, includes all vent streams and primary and secondary fuels introduced into the boiler or process heater.

(ii) To determine compliance with an enclosed combustion device concentration limit, the sampling site shall be located at the outlet of the device.

(2) The gas volumetric flow rate shall be determined using Method 2, 2A, 2C, or 2D of 40 CFR part 60, appendix A, as appropriate.

(3) To determine compliance with the control device percent reduction requirement, the owner or operator shall use Method 18 of 40 CFR part 60, appendix A of this chapter; alternatively, any other method or data that has been validated according to the applicable procedures in Method 301 in 40 CFR part 63, appendix A of this part may be used. The following procedures shall be used to calculate percent reduction efficiency:

(i) The minimum sampling time for each run shall be 1 hour in which either an integrated sample or a minimum of four grab samples shall be taken. If grab sampling is used, then the samples shall be taken at approximately equal intervals in time such as 15 minute intervals during the run.

(ii) The mass rate of either TOC (minus methane and ethane) or total HAP ( $E_i$  and  $E_o$ , respectively) shall be computed.

(A) The following equations shall be used:

$$E_i = K_2 \times Q_i \times \sum_{j=1}^n (C_{ij} \times M_{ij})$$

$$E_o = K_2 \times Q_o \times \sum_{j=1}^n (C_{oj} \times M_{oj})$$

Where:

$C_{ij}$ ,  $C_{oj}$ = Concentration of sample component j of the gas stream at the inlet and outlet of the control device, respectively, dry basis, parts per million by volume.

$E_i$ ,  $E_o$ = Mass rate of TOC (minus methane and ethane) or total HAP at the inlet and outlet of the control device, respectively, dry basis, kilogram per hour.

$M_{ij}$ ,  $M_{oj}$ = Molecular weight of sample component j of the gas stream at the inlet and outlet of the control device, respectively, gram/gram-mole.

$Q_i$ ,  $Q_o$ = Flow rate of gas stream at the inlet and outlet of the control device, respectively, dry standard cubic meter per minute.

$K_2$ = Constant,  $2.494 \times 10^{-6}$  (parts per million) $^{-1}$  (gram-mole per standard cubic meter) (kilogram/gram) (minute/hour), where standard temperature (gram-mole per standard cubic meter) is 20 °C.

(B) When the TOC mass rate is calculated, all organic compounds (minus methane and ethane) measured by Method 18 of 40 CFR part 60, appendix A shall be summed using the equation in paragraph (l)(3)(ii)(A) of this section.

(C) When the total HAP mass rate is calculated, only the HAP constituents shall be summed using the equation in paragraph (l)(3)(ii)(A) of this section.

(iii) The percent reduction in TOC (minus methane and ethane) or total HAP shall be calculated as follows:

$$R_{cd} = \frac{E_i - E_o}{E_i} \times 100$$

where:

$R_{cd}$ =Control efficiency of control device, percent.

$E_i$ =Mass rate of TOC (minus methane and ethane) or total HAP at the inlet to the control device as calculated under paragraph (l)(3)(ii) of this section, kilograms TOC per hour or kilograms HAP per hour.

$E_o$ =Mass rate of TOC (minus methane and ethane) or total HAP at the outlet of the control device, as calculated under paragraph (l)(3)(ii) of this section, kilograms TOC per hour or kilograms HAP per hour.

(iv) If the vent stream entering a boiler or process heater is introduced with the combustion air or as a secondary fuel, the weight-percent reduction of total HAP or TOC (minus methane and ethane) across the device shall be determined by comparing the TOC (minus methane and ethane) or total HAP in all combusted vent streams and primary and secondary fuels with the TOC (minus methane and ethane) or total HAP exiting the device, respectively.

(4) To determine compliance with the enclosed combustion device total HAP concentration limit of this subpart, the owner or operator shall use Method 18 of 40 CFR part 60, appendix A to measure either TOC (minus methane and ethane) or total HAP. Alternatively, any other method or data that has been validated according to Method 301 in appendix A of this part, may be used. The following procedures shall be used to calculate parts per million by volume concentration, corrected to 3 percent oxygen:

(i) The minimum sampling time for each run shall be 1 hour in which either an integrated sample or a minimum of four grab samples shall be taken. If grab sampling is used, then the samples shall be taken at approximately equal intervals in time, such as 15 minute intervals during the run.

(ii) The TOC concentration or total HAP concentration shall be calculated according to paragraph (m)(4)(ii)(A) or (m)(4)(ii)(B) of this section.

(A) The TOC concentration ( $C_{TOC}$ ) is the sum of the concentrations of the individual components and shall be computed for each run using the following equation:

$$C_{TOC} = \sum_{i=1}^x \frac{\sum_{j=1}^n C_{ij}}{x}$$

where:

$C_{TOC}$ =Concentration of total organic compounds minus methane and ethane, dry basis, parts per million by volume.

$C_{ij}$ =Concentration of sample components j of sample i, dry basis, parts per million by volume.

n=Number of components in the sample.

x=Number of samples in the sample run.

(B) The total HAP concentration ( $C_{HAP}$ ) shall be computed according to the equation in paragraph (l)(4)(ii)(A) of this section except that only HAP constituents shall be summed.

(iii) The measured TOC concentration or total HAP concentration shall be corrected to 3 percent oxygen as follows:

(A) The emission rate correction factor or excess air, integrated sampling and analysis procedures of Method 3B of 40 CFR part 60, appendix A shall be used to determine the oxygen concentration (% $O_{2dry}$ ). The samples shall be collected during the same time that the samples are collected for determining TOC concentration or total HAP concentration.

(B) The concentration corrected to 3 percent oxygen ( $C_c$ ) shall be computed using the following equation:

$$C_c = C_m \left( \frac{17.9}{20.9 - \%O_{2dry}} \right)$$

where:

$C_c$ =TOC concentration or total HAP concentration corrected to 3 percent oxygen, dry basis, parts per million by volume.

$C_m$ =Measured TOC concentration or total HAP concentration, dry basis, parts per million by volume.

$\%O_{2dry}$ =Concentration of oxygen, dry basis, percent by volume.

**§ 63.695 Inspection and monitoring requirements.**

(b) Tank Level 2 fixed roof and floating roof inspection requirements.

(1) Owners and operators that use a tank equipped with an internal floating roof in accordance with the provisions of §63.685(e) of this subpart shall meet the following inspection requirements:

(i) The floating roof and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, the internal floating roof is not floating on the surface of the liquid inside the tank; liquid has accumulated on top of the internal floating roof; any portion of the roof seals have detached from the roof rim; holes, tears, or other openings are visible in the seal fabric; the gaskets no longer close off the waste surfaces from the atmosphere; or the slotted membrane has more than 10 percent open area.

(ii) The owner or operator shall inspect the internal floating roof components as follows except as provided for in paragraph (b)(1)(iii) of this section:

(A) Visually inspect the internal floating roof components through openings on the fixed-roof (e.g., manholes and roof hatches) at least once every calendar year after initial fill, and

(B) Visually inspect the internal floating roof, primary seal, secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least every 10 years. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in §63.697 of this subpart.

(iii) As an alternative to performing the inspections specified in paragraph (b)(1)(ii) of this section for an internal floating roof equipped with two continuous seals mounted one above the other, the owner or operator may visually inspect the internal floating roof, primary and secondary seals, gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least every 5 years. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in §63.697 of this subpart.

(iv) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(v) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §63.696 of this subpart.

(2) Owners and operators that use a tank equipped with an external floating roof in accordance with the provisions of §63.685(f) of this subpart shall meet the following requirements:

(i) The owner or operator shall measure the external floating roof seal gaps in accordance with the following requirements:

(A) The owner or operator shall perform measurements of gaps between the tank wall and the primary seal within 60 days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every 5 years. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in §63.697 of this subpart.

(B) The owner or operator shall perform measurements of gaps between the tank wall and the secondary seal within 60 days after initial operation of the separator following installation of the floating roof and, thereafter, at least once

every year. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in §63.697 of this subpart.

(C) If a tank ceases to hold off-site material for a period of 1 year or more, subsequent introduction of off-site material into the tank shall be considered an initial operation for the purposes of paragraphs (b)(2)(i)(A) and (b)(2)(i)(B) of this section.

(D) The owner shall determine the total surface area of gaps in the primary seal and in the secondary seal individually using the following procedure.

( 1 ) The seal gap measurements shall be performed at one or more floating roof levels when the roof is floating off the roof supports.

( 2 ) Seal gaps, if any, shall be measured around the entire perimeter of the floating roof in each place where a 0.32-centimeter (cm) (1/8-inch) diameter uniform probe passes freely (without forcing or binding against the seal) between the seal and the wall of the tank and measure the circumferential distance of each such location.

( 3 ) For a seal gap measured under paragraph (b)(2) of this section, the gap surface area shall be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

( 4 ) The total gap area shall be calculated by adding the gap surface areas determined for each identified gap location for the primary seal and the secondary seal individually, and then dividing the sum for each seal type by the nominal diameter of the tank. These total gap areas for the primary seal and secondary seal are then compared to the respective standards for the seal type as specified in §63.685(f)(1) of this subpart.

(E) In the event that the seal gap measurements do not conform to the specifications in §63.685(f)(1) of this subpart, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(F) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §63.696 of this subpart.

(ii) The owner or operator shall visually inspect the external floating roof in accordance with the following requirements:

(A) The floating roof and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to: holes, tears, or other openings in the rim seal or seal fabric of the floating roof; a rim seal detached from the floating roof; all or a portion of the floating roof deck being submerged below the surface of the liquid in the tank; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

(B) The owner or operator shall perform the inspections following installation of the external floating roof and, thereafter, at least once every year.

(C) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(D) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §63.696(d) of this subpart.

(3) Owners and operators that use a tank equipped with a fixed roof in accordance with the provisions of §63.685(g) of this subpart shall meet the following requirements:

(i) The fixed roof and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the roof and the separator wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the case when a tank is

buried partially or entirely underground, inspection is required only for those portions of the cover that extend to or above the ground surface, and those connections that are on such portions of the cover (e.g., fill ports, access hatches, gauge wells, etc.) and can be opened to the atmosphere.

(ii) The owner or operator must perform an initial inspection following installation of the fixed roof. Thereafter, the owner or operator must perform the inspections at least once every calendar year except as provided for in paragraph (f) of this section.

(iii) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(iv) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §63.696(e) of this subpart.

(4) The owner or operator shall repair each defect detected during an inspection performed in accordance with the requirements of paragraph (b)(1), (b)(2), or (b)(3) of this section in the following manner:

(i) The owner or operator shall within 45 calendar days of detecting the defect either repair the defect or empty the tank and remove it from service. If within this 45-day period the defect cannot be repaired or the tank cannot be removed from service without disrupting operations at the plant site, the owner or operator is allowed two 30-day extensions. In cases when an owner or operator elects to use a 30-day extension, the owner or operator shall prepare and maintain documentation describing the defect, explaining why alternative storage capacity is not available, and specify a schedule of actions that will ensure that the control equipment will be repaired or the tank emptied as soon as possible.

(ii) When a defect is detected during an inspection of a tank that has been emptied and degassed, the owner or operator shall repair the defect before refilling the tank.

(c) Owners and operators that use a closed-vent system in accordance with the provisions of §63.693 of this subpart shall meet the following inspection and monitoring requirements:

(1) Each closed-vent system that is used to comply with §63.693(c)(1)(i) of this subpart shall be inspected and monitored in accordance with the following requirements:

(i) At initial startup, the owner or operator shall monitor the closed-vent system components and connections using the procedures specified in §63.694(k) of this subpart to demonstrate that the closed-vent system operates with no detectable organic emissions.

(ii) After initial startup, the owner or operator shall inspect and monitor the closed-vent system as follows:

(A) Closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted and gasketed ducting flange) shall be visually inspected at least once per year to check for defects that could result in air emissions. The owner or operator shall monitor a component or connection using the procedures specified in §63.694(k) of this subpart to demonstrate that it operates with no detectable organic emissions following any time the component is repaired or replaced (e.g., a section of damaged hard piping is replaced with new hard piping) or the connection is unsealed (e.g., a flange is unbolted).

(B) Closed-vent system components or connections other than those specified in paragraph (c)(1)(ii)(A) of this section, shall be monitored at least once per year using the procedures specified in §63.694(k) of this subpart to demonstrate that components or connections operate with no detectable organic emissions.

(C) The continuous monitoring system required by §63.693(b)(4)(i) shall monitor and record either an instantaneous data value at least once every 15 minutes or an average value for intervals of 15 minutes or less.

(D) The owner or operator shall visually inspect the seal or closure mechanism required by §63.693(c)(2)(ii) at least once every month to verify that the bypass mechanism is maintained in the closed position.

(iii) In the event that a defect or leak is detected, the owner or operator shall repair the defect or leak in accordance with the requirements of paragraph (c)(3) of this section.

(iv) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in §63.696 of this subpart.

(2) Each closed-vent system that is used to comply with §63.693(c)(1)(ii) of this subpart shall be inspected and monitored in accordance with the following requirements:

(i) The closed-vent system shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork or piping; loose connections; or broken or missing caps or other closure devices.

(ii) The owner or operator must perform an initial inspection following installation of the closed-vent system. Thereafter, the owner or operator must perform the inspections at least once every calendar year except as provided for in paragraph (f) of this section.

(iii) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (c)(3) of this section.

(iv) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §63.696 of this subpart.

(3) The owner or operator shall repair all detected defects as follows:

(i) The owner or operator shall make first efforts at repair of the defect no later than 5 calendar days after detection and repair shall be completed as soon as possible but no later than 45 calendar days after detection.

(ii) Repair of a defect may be delayed beyond 45 calendar days if either of the conditions specified in paragraph (c)(3)(ii)(A) or (c)(3)(ii)(B) occurs. In this case, the owner or operator must repair the defect the next time the process or unit that vents to the closed-vent system is shutdown. Repair of the defect must be completed before the process or unit resumes operation.

(A) Completion of the repair is technically infeasible without the shutdown of the process or unit that vents to the closed-vent system.

(B) The owner or operator determines that the air emissions resulting from the repair of the defect within the specified period would be greater than the fugitive emissions likely to result by delaying the repair until the next time the process or unit that vents to the closed-vent system is shutdown.

(iii) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in §63.696 of this subpart.

(e) *Control device monitoring requirements.* For each control device required under §63.693 of this subpart to be monitored in accordance with the provisions of this paragraph (e), the owner or operator must ensure that each control device operates properly by monitoring the control device in accordance with the requirements specified in paragraphs (e)(1) through (e)(7) of this section.

(1) A continuous parameter monitoring system must be used to measure the operating parameter or parameters specified for the control device in §63.693(d) through §63.693(g) of this subpart as applicable to the type and design of the control device. The continuous parameter monitoring system must meet the following specifications and requirements:

(i) The continuous parameter monitoring system must measure either an instantaneous value at least once every 15 minutes or an average value for intervals of 15 minutes or less and continuously record either:

(A) Each measured data value; or

(B) Each block average value for each 1-hour period or shorter periods calculated from all measured data values during each period. If values are measured more frequently than once per minute, a single value for each minute may be used to calculate the hourly (or shorter period) block average instead of all measured values.

(ii) The monitoring system must be installed, calibrated, operated, and maintained in accordance with the manufacturer's specifications or other written procedures that provide reasonable assurance that the monitoring equipment is operating properly.

(2) Using the data recorded by the monitoring system, the owner or operator must calculate the daily average value for each monitored operating parameter for each operating day. If operation of the control device is continuous, the operating day is a 24-hour period. If control device operation is not continuous, the operating day is the total number of hours of control device operation per 24-hour period. Valid data points must be available for 75 percent of the operating hours in an operating day to compute the daily average.

(3) For each monitored operating parameter, the owner or operator must establish a minimum operating parameter value or a maximum operating parameter value, as appropriate, to define the range of conditions at which the control device must be operated to continuously achieve the applicable performance requirements specified in §63.693(b)(2) of this subpart. Each minimum or maximum operating parameter value must be established in accordance with the requirements in paragraphs (e)(3)(i) and (e)(3)(ii) of this section.

(i) If the owner or operator conducts a performance test to demonstrate control device performance, then the minimum or maximum operating parameter value must be established based on values measured during the performance test and supplemented, as necessary, by the control device design specifications, manufacturer recommendations, or other applicable information.

(ii) If the owner or operator uses a control device design analysis to demonstrate control device performance, then the minimum or maximum operating parameter value must be established based on the control device design analysis and supplemented, as necessary, by the control device manufacturer recommendations or other applicable information.

(4) An excursion for a given control device is determined to have occurred when the monitoring data or lack of monitoring data result in any one of the criteria specified in paragraphs (e)(4)(i) through (e)(4)(iii) of this section being met. When multiple operating parameters are monitored for the same control device and during the same operating day more than one of these operating parameters meets an excursion criterion specified in paragraphs (e)(4)(i) through (e)(4)(iii) of this section, then a single excursion is determined to have occurred for the control device for that operating day.

(i) An excursion occurs when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit) established for the operating parameter in accordance with the requirements of paragraph (e)(3) of this section.

(ii) An excursion occurs when the period of control device operation is 4 hours or greater in an operating day and the monitoring data are insufficient to constitute a valid hour of data for at least 75 percent of the operating hours. Monitoring data are insufficient to constitute a valid hour of data if measured values are unavailable for any of the 15-minute periods within the hour.

(iii) An excursion occurs when the period of control device operation is less than 4 hours in an operating day and more than 1 of the hours during the period does not constitute a valid hour of data due to insufficient monitoring data. Monitoring data are insufficient to constitute a valid hour of data if measured values are unavailable for any of the 15-minute periods within the hour.

(5) For each excursion, except as provided for in paragraph(e)(6) of this section, the owner or operator shall be deemed to have failed to have applied control in a manner that achieves the required operating parameter limits. Failure to achieve the required operating parameter limits is a violation of this standard.

(6) An excursion is not a violation of this standard under any one of the conditions specified in paragraphs (e)(6)(i) and (e)(6)(ii) of this section.

(i) An excursion is not a violation nor does it count toward the number of excused excursions allowed under paragraph (e)(6)(ii) of this section when the excursion occurs during any one of the following periods:

(A) During a period of startup, shutdown, or malfunction when the affected facility is operated during such period in accordance with §63.6(e)(1); or

(B) During periods of non-operation of the unit or the process that is vented to the control device (resulting in cessation of HAP emissions to which the monitoring applies).

(ii) For each control device, one excused excursion is allowed per semiannual period for any reason. The initial semiannual period is the 6-month reporting period addressed by the first semiannual report submitted by the owner or operator in accordance with §63.697(b)(4) of this subpart.

(7) Nothing in paragraphs (e)(1) through (e)(6) of this section shall be construed to allow or excuse a monitoring parameter excursion caused by any activity that violates other applicable provisions of this subpart.

(f) *Alternative inspection and monitoring interval.* Following the initial inspection and monitoring of a piece of air pollution control equipment in accordance with the applicable provisions of this section, subsequent inspection and monitoring of the equipment may be performed at intervals longer than 1 year when an owner or operator determines that performing the required inspection or monitoring procedures would expose a worker to dangerous, hazardous, or otherwise unsafe conditions and the owner or operator complies with the requirements specified in paragraphs (f)(1) and (f)(2) of this section.

(1) The owner or operator must prepare and maintain at the plant site written documentation identifying the specific air pollution control equipment designated as "unsafe to inspect and monitor." The documentation must include for each piece of air pollution control equipment designated as such a written explanation of the reasons why the equipment is unsafe to inspect or monitor using the applicable procedures under this section.

(2) The owner or operator must develop and implement a written plan and schedule to inspect and monitor the air pollution control equipment using the applicable procedures specified in this section during times when a worker can safely access the air pollution control equipment. The required inspections and monitoring must be performed as frequently as practicable but do not need to be performed more frequently than the periodic schedule that would be otherwise applicable to the air pollution control equipment under the provisions of this section. A copy of the written plan and schedule must be maintained at the plant site.

[64 FR 38977, July 20, 1999, as amended at 68 FR 37352, June 23, 2003; 71 FR 20457, Apr. 20, 2006]

### **§ 63.696 Recordkeeping requirements.**

(a) The owner or operator subject to this subpart shall comply with the recordkeeping requirements in §63.10 under 40 CFR 63 subpart A—General Provisions that are applicable to this subpart as specified in Table 2 of this subpart.

(b) The owner or operator of a control device subject to this subpart shall maintain the records in accordance with the requirements of 40 CFR 63.10 of this part.

(g) An owner or operator shall record, on a semiannual basis, the information specified in paragraphs (g)(1) and (g)(2) of this section for those planned routine maintenance operations that would require the control device not to meet the requirements of §63.693(d) through (h) of this subpart, as applicable.

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

(2) A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description shall include the type of maintenance performed and the total number of hours during these 6 months that the control device did not meet the requirement of §63.693 (d) through (h) of this subpart, as applicable, due to planned routine maintenance.

(h) An owner or operator shall record the information specified in paragraphs (h)(1) through (h)(3) of this section for those unexpected control device system malfunctions that would require the control device not to meet the requirements of §63.693 (d) through (h) of this subpart, as applicable.

(1) The occurrence and duration of each malfunction of the control device system.

(2) The duration of each period during a malfunction when gases, vapors, or fumes are vented from the waste management unit through the closed-vent system to the control device while the control device is not properly functioning.

(3) Actions taken during periods of malfunction to restore a malfunctioning control device to its normal or usual manner of operation.

### **§ 63.697 Reporting requirements.**

(a) Each owner or operator of an affected source subject to this subpart must comply with the notification requirements specified in paragraph (a)(1) of this section and the reporting requirements specified in paragraph (a)(2) of this section.

(1) The owner or operator of an affected source must submit notices to the Administrator in accordance with the applicable notification requirements in 40 CFR 63.9 as specified in Table 2 of this subpart. For the purpose of this subpart, an owner or operator subject to the initial notification requirements under 40 CFR 63.9(b)(2) must submit the required notification on or before October 19, 1999.

(2) The owner or operator of an affected source must submit reports to the Administrator in accordance with the applicable reporting requirements in 40 CFR 63.10 as specified in Table 2 of this subpart.

(b) The owner or operator of a control device used to meet the requirements of §63.693 of this subpart shall submit the following notifications and reports to the Administrator:

(1) A Notification of Performance Tests specified in §63.7 and §63.9(g) of this part,

(2) Performance test reports specified in §63.10(d)(2) of this part, and

(3) Startup, shutdown, and malfunction reports specified in §63.10(d)(5) of this part.

(i) If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are not completely consistent with the procedures specified in the source's startup, shutdown, and malfunction plan specified in §63.6(e)(3) of this part, the owner or operator shall state such information in the report. The startup, shutdown, or malfunction report shall consist of a letter, containing the name, title, and signature of the responsible official who is certifying its accuracy, that shall be submitted to the Administrator, and

(ii) Separate startup, shutdown, or malfunction reports are not required if the information is included in the summary report specified in paragraph (b)(4) of this section.

(4) A summary report specified in §63.10(e)(3) of this part shall be submitted on a semiannual basis (i.e., once every 6-month period). The summary report must include a description of all excursions as defined in §63.695(e) of this subpart that have occurred during the 6-month reporting period. For each excursion caused when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit), the report must include the daily average values of the

monitored parameter, the applicable operating parameter limit, and the date and duration of the period that the exceedance occurred. For each excursion caused by lack of monitoring data, the report must include the date and duration of period when the monitoring data were not collected and the reason why the data were not collected.

**§ 63.698 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.680, 63.683 through 63.691, and 63.693. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37352, June 23, 2003]

**Table 1 to Subpart DD of Part 63—List of Hazardous Air Pollutants (HAP) for Subpart DD**

CAS No. <sup>a</sup>	Chemical name	f <sub>m</sub> 305
75-07-0	Acetaldehyde	1.000
75-05-8	Acetonitrile	0.989
98-86-2	Acetophenone	0.314
107-02-8	Acrolein	1.000
107-13-1	Acrylonitrile	0.999
107-05-1	Allyl chloride	1.000
71-43-2	Benzene (includes benzene in gasoline)	1.000
98-07-7	Benzotrichloride (isomers and mixture)	0.958
100-44-7	Benzyl chloride	1.000
92-52-4	Biphenyl	0.864
542-88-1	Bis(chloromethyl)ether <sup>b</sup>	0.999
75-25-2	Bromoform	0.998

106-99-0	1,3-Butadiene	1.000
75-15-0	Carbon disulfide	1.000
56-23-5	Carbon tetrachloride	1.000
43-58-1	Carbonyl sulfide	1.000
133-90-4	Chloramben	0.633
108-90-7	Chlorobenzene	1.000
67-66-3	Chloroform	1.000
107-30-2	Chloromethyl methyl ether <sup>b</sup>	1.000
126-99-8	Chloroprene	1.000
98-82-8	Cumene	1.000
94-75-7	2,4-D, salts and esters	0.167
334-88-3	Diazomethane <sup>c</sup>	0.999
132-64-9	Dibenzofurans	0.967
96-12-8	1,2-Dibromo-3-chloropropane	1.000
106-46-7	1,4-Dichlorobenzene(p)	1.000
107-06-2	Dichloroethane (Ethylene dichloride)	1.000
111-44-4	Dichloroethyl ether (Bis(2-chloroethyl ether))	0.757
542-75-6	1,3-Dichloropropene	1.000
79-44-7	Dimethyl carbamoyl chloride <sup>c</sup>	0.150
64-67-5	Diethyl sulfate	0.0025
77-78-1	Dimethyl sulfate	0.086
121-69-7	N,N-Dimethylaniline	0.0008
51-28-5	2,4-Dinitrophenol	0.0077
121-14-2	2,4-Dinitrotoluene	0.0848
123-91-1	1,4-Dioxane (1,4-Diethyleneoxide)	0.869
106-89-8	Epichlorohydrin (1-Chloro-2,3-epoxypropane)	0.939
106-88-7	1,2-Epoxybutane	1.000
140-88-5	Ethyl acrylate	1.000
100-41-4	Ethyl benzene	1.000
75-00-3	Ethyl chloride (Chloroethane)	1.000
106-93-4	Ethylene dibromide (Dibromoethane)	0.999
107-06-2	Ethylene dichloride (1,2-Dichloroethane)	1.000
151-56-4	Ethylene imine (Aziridine)	0.867

75-21-8	Ethylene oxide	1.000
75-34-3	Ethylidene dichloride (1,1-Dichloroethane)	1.000
	Glycol ethers <sup>d</sup> that have a Henry's Law constant value equal to or greater than 0.1 Y/X ( $1.8 \times 10^{-6}$ atm/gm-mole/m <sup>3</sup> ) at 25°C	(e)
118-74-1	Hexachlorobenzene	0.97
87-68-3	Hexachlorobutadiene	0.88
67-72-1	Hexachloroethane	0.499
110-54-3	Hexane	1.000
78-59-1	Isophorone	0.506
58-89-9	Lindane (all isomers)	1.000
67-56-1	Methanol	0.855
74-83-9	Methyl bromide (Bromomethane)	1.000
74-87-3	Methyl chloride (Chloromethane)	1.000
71-55-6	Methyl chloroform (1,1,1-Trichloroethane)	1.000
78-93-3	Methyl ethyl ketone (2-Butanone)	0.990
74-88-4	Methyl iodide (Iodomethane)	1.0001
108-10-1	Methyl isobutyl ketone (Hexone)	0.9796
624-83-9	Methyl isocyanate	1.000
80-62-6	Methyl methacrylate	0.916
1634-04-4	Methyl tert butyl ether	1.000
75-09-2	Methylene chloride (Dichloromethane)	1.000
91-20-3	Naphthalene	0.994
98-95-3	Nitrobenzene	0.394
79-46-9	2-Nitropropane	0.989
82-68-8	Pentachloronitrobenzene (Quintobenzene)	0.839
87-86-5	Pentachlorophenol	0.0898
75-44-5	Phosgene <sup>c</sup>	1.000
123-38-6	Propionaldehyde	0.999
78-87-5	Propylene dichloride (1,2-Dichloropropane)	1.000
75-56-9	Propylene oxide	1.000
75-55-8	1,2-Propylenimine (2-Methyl aziridine)	0.945
100-42-5	Styrene	1.000
96-09-3	Styrene oxide	0.830
79-34-5	1,1,2,2-Tetrachloroethane	0.999

127-18-4	Tetrachloroethylene (Perchloroethylene)	1.000
108-88-3	Toluene	1.000
95-53-4	o-Toluidine	0.152
120-82-1	1,2,4-Trichlorobenzene	1.000
71-55-6	1,1,1-Trichloroethane (Methyl chlorform)	1.000
79-00-5	1,1,2-Trichloroethane (Vinyl trichloride)	1.000
79-01-6	Trichloroethylene	1.000
95-95-4	2,4,5-Trichlorophenol	0.108
88-06-2	2,4,6-Trichlorophenol	0.132
121-44-8	Triethylamine	1.000
540-84-1	2,2,4-Trimethylpentane	1.000
108-05-4	Vinyl acetate	1.000
593-60-2	Vinyl bromide	1.000
75-01-4	Vinyl chloride	1.000
75-35-4	Vinylidene chloride (1,1-Dichloroethylene)	1.000
1330-20-7	Xylenes (isomers and mixture)	1.000
95-47-6	o-Xylenes	1.000
108-38-3	m-Xylenes	1.000
106-42-3	p-Xylenes	1.000

Notes:

$f_{m\ 305}$  = Method 305 fraction measure factor.

a. CAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.

b. Denotes a HAP that hydrolyzes quickly in water, but the hydrolysis products are also HAP chemicals.

c. Denotes a HAP that may react violently with water, exercise caustic is an expected analyte.

d. Denotes a HAP that hydrolyzes slowly in water.

e. The  $f_{m\ 305}$  factors for some of the more common glycol ethers can be obtained by contacting the Waste and Chemical Processes Group, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711.

[64 FR 38981, July 20, 1999]

**Table 2 to Subpart DD of Part 63—Applicability of Paragraphs in Subpart A of This Part 63—General Provisions to Subpart DD**

Subpart A	Applies to	Explanation
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reference	Subpart DD	
63.1(a)(1)	Yes	
63.1(a)(2)	Yes	
63.1(a)(3)	Yes	
63.1(a)(4)	No	Subpart DD (this table) specifies applicability of each paragraph in subpart A to subpart DD.
63.1(a)(5)–63.1(a)(9)	No	
63.1(a)(10)	Yes	
63.1(a)(11)	Yes	
63.1(a)(12)	Yes	
63.1(a)(13)	Yes	
63.1(a)(14)	Yes	
63.1(b)(1)	No	Subpart DD specifies its own applicability.
63.1(b)(2)	Yes	
63.1(b)(3)	No	
63.1(c)(1)	No	Subpart DD explicitly specifies requirements that apply.
63.1(c)(2)	No	Area sources are not subject to subpart DD.
63.1(c)(3)	No	
63.1(c)(4)	Yes	
63.1(c)(5)	Yes	Except that sources are not required to submit notifications overridden by this table.
63.1(d)	No	
63.1(e)	No	
63.2	Yes	§63.681 of subpart DD specifies that if the same term is defined in subparts A and DD, it shall have the meaning given in subpart DD.
63.3	Yes	
63.4(a)(1)–63.4(a)(3)	Yes	
63.4(a)(4)	No	Reserved.
63.4(a)(5)	Yes	
63.4(b)	Yes	

63.4(c)	Yes	
63.5(a)(1)	Yes	Except replace term “source” and “stationary source” in §63.5(a)(1) of subpart A with “affected source.”
63.5(a)(2)	Yes	
63.5(b)(1)	Yes	
63.5(b)(2)	No	Reserved.
63.5(b)(3)	Yes	
63.5(b)(4)	Yes	Except the cross-reference to §63.9(b) is changed to §63.9(b)(4) and (5). Subpart DD overrides §63.9(b)(2) and (b)(3).
63.5(b)(5)	Yes	
63.5(b)(6)	Yes	
63.5(c)	No	Reserved.
63.5(d)(1)(i)	Yes	
63.5(d)(1)(ii)	Yes	
63.5(d)(1)(iii)	Yes	
63.5(d)(2)	No	
63.5(d)(3)	Yes	
63.5(d)(4)	Yes	
63.5(e)	Yes	
63.5(f)(1)	Yes	
63.5(f)(2)	Yes	
63.6(a)	Yes	
63.6(b)(1)	No	Subpart DD specifies compliance dates for sources subject to subpart DD.
63.6(b)(2)	No	
63.6(b)(3)	Yes	
63.6(b)(4)	No	May apply when standards are proposed under section 112(f) of the Clean Air Act.
63.6(b)(5)	No	§63.697 of subpart DD includes notification requirements.
63.6(b)(6)	No	

63.6(b)(7)	No	
63.6(c)(1)	No	§63.680 of subpart DD specifies the compliance date.
63.6(c)(2)–63.6(c)(4)	No	
63.6(c)(5)	Yes	
63.6(d)	No	
63.6(e)	Yes	
63.6(f)(1)	Yes	
63.6(f)(2)(i)	Yes	
63.6(f)(2)(ii)	Yes	Subpart DD specifies the use of monitoring data in determining compliance with subpart DD.
63.6(f)(2)(iii) (A), (B), and (C)	Yes	
63.6(f)(2)(iii) (D)	No	
63.6(f)(2)(iv)	Yes	
63.6(f)(2)(v)	Yes	
63.6(f)(3)	Yes	
63.6(g)	Yes	
63.6(h)	No	Subpart DD does not require opacity and visible emission standards.
63.6(i)	Yes	Except for §63.6(i)(15), which is reserved.
63.6(j)	Yes	
63.7(a)(1)	No	Subpart DD specifies required testing and compliance demonstration procedures.
63.7(a)(2)	Yes	
63.7(a)(3)	Yes	
63.7(b)	No	
63.7(c)	No	
63.7(d)	Yes	
63.7(e)(1)	Yes	
63.7(e)(2)	Yes	

63.7(e)(3)	No	Subpart DD specifies test methods and procedures.
63.7(e)(4)	Yes	
63.7(f)	No	Subpart DD specifies applicable methods and provides alternatives.
63.7(g)	Yes	
63.7(h)(1)	Yes	
63.7(h)(2)	Yes	
63.7(h)(3)	Yes	
63.7(h)(4)	No	
63.7(h)(5)	Yes	
63.8(a)	No	
63.8(b)(1)	Yes	
63.8(b)(2)	No	Subpart DD specifies locations to conduct monitoring.
63.8(b)(3)	Yes	
63.8(c)(1)(i)	Yes	
63.8(c)(1)(ii)	Yes	
63.8(c)(1)(iii)	Yes	
63.8(c)(2)	Yes	
63.8(c)(3)	Yes	
63.8(c)(4)	No	Subpart DD specifies monitoring frequency
63.8(c)(5)–63.8(c)(8)	No	
63.8(d)	No	
63.8(e)	No	
63.8(f)(1)	Yes	
63.8(f)(2)	Yes	
63.8(f)(3)	Yes	
63.8(f)(4)(i)	Yes	
63.8(f)(4)(ii)	Yes	
63.8(f)(4)(iii)	No	

63.8(f)(5)(i)	Yes	
63.8(f)(5)(ii)	No	
63.8(f)(5)(iii)	Yes	
63.8(f)(6)	Yes	
63.8(g)	Yes	
63.9(a)	Yes	
63.9(b)(1)(i)	Yes	
63.9(b)(1)(ii)	No	
63.9(b)(2)	Yes	
63.9(b)(3)	No	
63.9(b)(4)	Yes	
63.9(b)(5)	Yes	
63.9(c)	Yes	
63.9(d)	Yes	
63.9(e)	No	
63.9(f)	No	
63.9(g)	No	
63.9(h)	Yes	
63.9(i)	Yes	
63.9(j)	No	
63.10(a)	Yes	
63.10(b)(1)	Yes	
63.10(b)(2)(i)	Yes	
63.10(b)(2)(ii)	Yes	
63.10(b)(2)(iii)	No	
63.10(b)(2)(iv)	Yes	
63.10(b)(2)(v)	Yes	
63.10(b)(2)(vi)–(ix)	Yes	

63.10(b)(2)(x)–(xi)	Yes	
63.10(b)(2) (xii)–(xiv)	No	
63.10(b)(3)	Yes	
63.10(c)	No	
63.10(d)(1)	No	
63.10(d)(2)	Yes	
63.10(d)(3)	No	
63.10(d)(4)	Yes	
63.10(d)(5)(i)	Yes	
63.10(d)(5)(ii)	Yes	
63.10(e)	No	
63.10(f)	Yes	
63.11–63.15	Yes	

<sup>a</sup>Wherever subpart A specifies “postmark” dates, submittals may be sent by methods other than the U.S. Mail (e.g., by fax or courier). Submittals shall be sent by the specified dates, but a postmark is not required.

[64 FR 38983, July 20, 1999, as amended at 66 FR 1267, Jan. 8, 2001]

**Table 3 to Subpart DD of Part 63—Tank Control Levels for Tanks at Existing Affected Sources as Required by 40 CFR 63.685(b)(1)**

Tank design capacity (cubic meters)	Maximum HAP vapor pressure of off-site material managed in tank (kilopascals)	Tank control level
Design capacity less than 75 m <sup>3</sup>	Maximum HAP vapor pressure less than 76.6 kPa	Level 1.
Design capacity equal to or greater than 75 m <sup>3</sup> and less than 151 m <sup>3</sup>	Maximum HAP vapor pressure less than 27.6 kPa	Level 1.
	Maximum HAP vapor pressure equal to or greater than 27.6 kPa	Level 2.
Design capacity equal to or greater than 151 m <sup>3</sup>	Maximum HAP vapor pressures less than 5.2 kPa	Level 1.
	Maximum HAP vapor pressure equal to or greater than 5.2 kPa	Level 2

## SECTION E.4 NESHAP Subpart OO FACILITY OPERATION CONDITIONS

### NESHAP OO

- (ee) One (1) product storage tank, identified as EU-TK 30, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ff) One (1) product storage tank, identified as EU-TK 31, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (gg) One (1) product storage tank, identified as EU-TK 32, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (hh) One (1) product storage tank, identified as EU-TK 33, installed in 1983, capacity: 6,900 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ii) One (1) product storage tank, identified as EU-TK 34, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (jj) One (1) product storage tank, identified as EU-TK 35, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (kk) One (1) product storage tank, identified as EU-TK 36, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (ll) One (1) product storage tank, identified as EU-TK 37, installed in 1984, capacity: 4,700 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (mm) One (1) product storage tank, identified as EU-TK 38, installed in 1983, capacity: 10,000 gallons of spent volatile organic compound waste. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (qq) One (1) product storage tank, identified as EU-TK 42, installed in 1984, capacity: 5,100 gallons of process water. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.
- (rr) One (1) product storage tank, identified as EU-TK 50, installed in 1992, capacity: 6,900 gallons of waste volatile organic compounds. Under NESHAPs 40 CFR 63, Subparts DD and OO, this is considered an affected facility.

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

## National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements

### E.4.1 NESHAP, Subpart OO, Requirements [40 CFR Part 63, Subpart OO] [326 IAC 20-35]

Pursuant to 40 CFR Part 63, Subpart OO, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart OO, which are incorporated by reference as 326 IAC 20-35 for the eleven (11) storage tanks, identified as EU-TK 30, EU-TK 31, EU-TK 32, EU-TK 33, EU-TK 34, EU-TK 35, EU-TK 36, EU-TK 37, EU-TK 38, EU-TK 42, and EU-TK 50, as specified as follows.

#### **§ 63.900 Applicability.**

The provisions of this subpart apply to the control of air emissions from tanks for which another subpart of 40 CFR parts 60, 61, or 63 references the use of this subpart for such air emission control. These air emission standards for tanks are placed here for administrative convenience and only apply to those owners and operators of facilities subject to the other subparts that reference this subpart. The provisions of 40 CFR part 63, subpart A—General Provisions do not apply to this subpart except as noted in the subpart that references this subpart.

#### **§ 63.901 Definitions.**

All terms used in this subpart shall have the meaning given to them in the Act and in this section. If a term is defined in both this section and in another subpart that references the use of this subpart, then the definition in this subpart shall take precedence when implementing this subpart.

*Closure device* means a cap, hatch, lid, plug, seal, valve, or other type of fitting that, when the device is secured in the closed position, prevents or reduces air emissions to the atmosphere by blocking an opening in a fixed roof. Closure devices include devices that are detachable from the cover (e.g., a sampling port cap), manually operated (e.g., a hinged access lid or hatch), or automatically operated (e.g., a spring-loaded pressure relief valve).

*Fixed roof* means a cover that is mounted on a tank in a stationary position and does not move with fluctuations in the level of the liquid managed in the tank.

*No detectable organic emissions* means no escape of organics to the atmosphere as determined using the procedure specified in §63.905(a) of this subpart.

*Regulated-material* means the material (e.g. waste, wastewater, off-site material) required to be managed in tanks using air emission controls in accordance with the standards specified in this subpart.

*Safety device* means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions to prevent physical damage or permanent deformation to equipment by venting gases or vapors during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purpose of this subpart, a safety device is not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials.

*Tank* means a stationary unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support and is designed to hold an accumulation of liquids or other materials.

[61 FR 34184, July 1, 1996, as amended at 64 FR 38985, July 20, 1999]

**§ 63.902 Standards—Tank fixed roof.**

(a) This section applies to owners and operators subject to this subpart and controlling air emissions from a tank using a fixed roof. This section does not apply to a fixed-roof tank that is also equipped with an internal floating roof.

(b) The tank shall be equipped with a fixed roof designed to meet the following specifications:

(1) The fixed roof and its closure devices shall be designed to form a continuous barrier over the entire surface area of the liquid in the tank. The fixed roof may be a separate cover installed on the tank (e.g., a removable cover mounted on an open-top tank) or may be an integral part of the tank structural design (e.g., a horizontal cylindrical tank equipped with a hatch).

(2) The fixed roof shall be installed in a manner such that there are no visible cracks, holes, gaps, or other open spaces between roof section joints or between the interface of the roof edge and the tank wall.

(3) Each opening in the fixed roof, and any manifold system associated with the fixed roof, shall be either:

(i) equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure device; or

(ii) connected by a closed-vent system that is vented to a control device. The control device shall remove or destroy organics in the vent stream, and shall be operating whenever regulated material is managed in the tank.

(4) The fixed roof and its closure devices shall be made of suitable materials that will minimize exposure of the regulated-material to the atmosphere, to the extent practical, and will maintain the integrity of the equipment throughout its intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices shall include: organic vapor permeability, the effects of any contact with the liquid or its vapors managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

(c) Whenever a regulated-material is in the tank, the fixed roof shall be installed with each closure device secured in the closed position except as follows:

(1) Opening of closure devices or removal of the fixed roof is allowed at the following times:

(i) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample the liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.

(ii) To remove accumulated sludge or other residues from the bottom of tank.

(2) Opening of a spring-loaded pressure-vacuum relief valve, conservation vent, or similar type of pressure relief device which vents to the atmosphere is allowed during normal operations for the purpose of maintaining the tank internal pressure in accordance with the tank design specifications. The device shall be designed to operate with no detectable organic emissions when the device is secured in the closed position. The settings at which the device opens shall be established such that the device remains in the closed position whenever the tank internal pressure is within the internal pressure operating range determined by the owner or operator based on the tank manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials. Examples of normal operating conditions that may require these devices to open are during those times when the container internal pressure exceeds the internal pressure operating range for the tank as a result of loading operations or diurnal ambient temperature fluctuations.

(3) Opening of a safety device, as defined in §63.901 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

**§ 63.905 Test methods and procedures.**

(a) Procedure for determining no detectable organic emissions for the purpose of complying with this subpart.

(1) The test shall be conducted in accordance with the procedures specified in Method 21 of 40 CFR part 60, appendix A. Each potential leak interface (i.e., a location where organic vapor leakage could occur) on the cover and associated closure devices shall be checked. Potential leak interfaces that are associated with covers and closure devices include, but are not limited to: the interface of the cover and its foundation mounting; the periphery of any opening on the cover and its associated closure device; and the sealing seat interface on a spring-loaded pressure-relief valve.

(2) The test shall be performed when the unit contains a material having a total organic concentration representative of the range of concentrations for the materials expected to be managed in the unit. During the test, the cover and closure devices shall be secured in the closed position.

(3) The detection instrument shall meet the performance criteria of Method 21 of 40 CFR part 60, appendix A, except the instrument response factor criteria in section 3.1.2(a) of Method 21 shall be for the average composition of the organic constituents in the material placed in the unit, not for each individual organic constituent.

(4) The detection instrument shall be calibrated before use on each day of its use by the procedures specified in Method 21 of 40 CFR part 60, appendix A.

(5) Calibration gases shall be as follows:

(i) Zero air (less than 10 ppmv hydrocarbon in air); and

(ii) A mixture of methane or n-hexane in air at a concentration of approximately, but less than 10,000 ppmv.

(6) An owner or operator may choose to adjust or not adjust the detection instrument readings to account for the background organic concentration level. If an owner or operator chooses to adjust the instrument readings for the background level, the background level value must be determined according to the procedures in Method 21 of 40 CFR part 60, appendix A.

(7) Each potential leak interface shall be checked by traversing the instrument probe around the potential leak interface as close to the interface as possible, as described in Method 21. In the case when the configuration of the cover or closure device prevents a complete traverse of the interface, all accessible portions of the interface shall be sampled. In the case when the configuration of the closure device prevents any sampling at the interface and the device is equipped with an enclosed extension or horn (e.g., some pressure relief devices), the instrument probe inlet shall be placed at approximately the center of the exhaust area to the atmosphere.

(8) An owner or operator must determine if a potential leak interface operates with no detectable emissions using the applicable procedure specified in paragraph (a)(8)(i) or (a)(8)(ii) of this section.

(i) If an owner or operator chooses not to adjust the detection instrument readings for the background organic concentration level, then the maximum organic concentration value measured by the detection instrument is compared directly to the applicable value for the potential leak interface as specified in paragraph (a)(9) of this section.

(ii) If an owner or operator chooses to adjust the detection instrument readings for the background organic concentration level, the value of the arithmetic difference between the maximum organic concentration value measured by the instrument and the background organic concentration value as determined in paragraph (a)(6) of this section is compared with the applicable value for the potential leak interface as specified in paragraph (a)(9) of this section.

(9) A potential leak interface is determined to operate with no detectable emissions using the applicable criteria specified in paragraphs (a)(9)(i) and (a)(9)(ii) of this section.

(i) For a potential leak interface other than a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (a)(8) is less than 500 ppmv.

(ii) For a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (a)(8) is less than 10,000 ppmv.

(b) [Reserved]

[64 FR 38986, July 20, 1999]

### **§ 63.906 *Inspection and monitoring requirements.***

(a) Owners and operators that use a tank equipped with a fixed roof in accordance with the provisions of §63.902 of this subpart shall meet the following requirements:

(1) The fixed roof and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the roof and the tank wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

(2) The owner or operator must perform an initial inspection following installation of the fixed roof. Thereafter, the owner or operator must perform the inspections at least once every calendar year except as provided for in paragraph (d) of this section.

(3) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b) of this section.

(4) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §63.907 (a) of this subpart.

(b) The owner or operator shall repair all detected defects as follows:

(1) The owner or operator shall make first efforts at repair of the defect no later than 5 calendar days after detection and repair shall be completed as soon as possible but no later than 45 calendar days after detection except as provided in paragraph (b)(2) of this section.

(2) Repair of a defect may be delayed beyond 45 calendar days if the owner or operator determines that repair of the defect requires emptying or temporary removal from service of the tank and no alternative tank capacity is available at the site to accept the regulated material normally managed in the tank. In this case, the owner or operator shall repair the defect the next time alternative tank capacity becomes available and the tank can be emptied or temporarily removed from service, as necessary to complete the repair.

(c) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in §63.907(b) of this subpart.

(d) *Alternative inspection and monitoring interval.* Following the initial inspection and monitoring of a fixed roof in accordance with this section, subsequent inspection and monitoring of the equipment may be performed at intervals longer than 1 year when an owner or operator determines that performing the required inspection or monitoring procedures would expose a worker to dangerous, hazardous, or otherwise unsafe conditions and the owner or operator complies with the requirements specified in paragraphs (d)(1) and (d)(2) of this section.

(1) The owner or operator must prepare and maintain at the plant site written documentation identifying the specific air pollution control equipment designated as "unsafe to inspect and monitor." The documentation must include for each piece of air pollution control equipment designated as such a written explanation of the reasons why the equipment is unsafe to inspect or monitor using the applicable procedures under this section.

(2) The owner or operator must develop and implement a written plan and schedule to inspect and monitor the air pollution control equipment using the applicable procedures specified in this section during times when a worker can safely access the air pollution control equipment. The required inspections and monitoring must be performed as frequently as practicable but do not need to be performed more frequently than the periodic schedule that would be otherwise applicable to the air pollution control equipment under the provisions of this section. A copy of the written plan and schedule must be maintained at the plant site.

[61 FR 34184, July 1, 1996, as amended at 64 FR 38986, July 20, 1999]

### **§ 63.907 Recordkeeping requirements.**

(a) Each owner or operator shall prepare and maintain a record for each tank that includes the following information:

(1) A tank identification number (or other unique identification description as selected by the owner or operator).

(2) A description of the tank dimensions and the tank design capacity.

(3) The date that each inspection required by §63.906 of this subpart is performed.

(b) The owner or operator shall record the following information for each defect detected during inspections required by §63.906 of this subpart: the location of the defect, a description of the defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with the provisions of §63.907(b)(2) of this section, the owner or operator shall also record the reason for the delay and the date that completion of repair of the defect is expected.

### **§ 63.908 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.900 and 63.902.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37354, June 23, 2003]

Reclaimed Energy,  
Div. of Superior Oil Company, Inc.  
Connersville, Indiana  
Permit Reviewer: MAM/ACH

Fourth Administrative Amendment No.041-30702-00015  
Modified by: Ghassan Shalabi

Page 98 of 129  
Part 70 Operation Permit  
T 041-21620-00015

## SECTION E.5 NESHAP Subpart PP FACILITY OPERATION CONDITIONS

### NESHAP PP

- (xx) One (1) solid dispersion unit, identified as EU-SD 1, consisting of one (1) 250 gallon tub and one (1) dispenser, exhausted through Stacks SD 1 and FI 1, vented to a catalytic thermal oxidizer, throughput capacity: 4,800 gallons per day. Under NESHAPs 40 CFR 63, Subparts DD and PP, this is considered an affected facility.

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

#### E.5.1 NESHAP, Subpart PP, Requirements [40 CFR Part 63, Subpart PP] [326 IAC 20-36]

Pursuant to 40 CFR Part 63, Subpart PP, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart PP, which are incorporated by reference as 326 IAC 20-36 for the solid dispersion unit, identified as EU-SD 1, as specified as follows.

#### **§ 63.920 Applicability.**

The provisions of this subpart apply to the control of air emissions from containers for which another subpart of 40 CFR parts 60, 61, or 63 references the use of this subpart for such air emission control. These air emission standards for containers are placed here for administrative convenience and only apply to those owners and operators of facilities subject to the other subparts that reference this subpart. The provisions of 40 CFR Part 63, subpart A—General Provisions do not apply to this subpart except as noted in the subpart that references this subpart.

#### **§ 63.921 Definitions.**

All terms used in this subpart shall have the meaning given to them in the Act and in this section. If a term is defined in both this section and in another subpart that references the use of this subpart, then the definition in this subpart shall take precedence when implementing this subpart.

*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, dumpsters, roll-off boxes, bulk cargo containers commonly known as “portable tanks” or “totes,” cargo tank trucks, and tank railcars.

*Closure device* means a cover, cap, hatch, lid, plug, seal, valve, or other type of fitting that prevents or reduces air emissions to the atmosphere by blocking an opening in a container or its cover when the device is secured in the closed position. Closure devices include devices that are detachable from the container (e.g., a drum head, a threaded plug), manually operated (e.g., a hinged dumpster lid, a truck tank hatch), or automatically operated (e.g., a spring loaded pressure relief valve).

*Empty container* means a container for which either of the following conditions exists: the container meets the conditions for an empty container specified in 40 CFR 261.7(b); or all regulated-material has been removed from the container except for any regulated-material that remains on the interior surfaces of the container as clingage or in pools on the container bottom due to irregularities in the container.

*No detectable organic emissions* means no escape of organics to the atmosphere as determined using the procedure specified in §63.925(a) of this subpart.

*Regulated-material* means the material (e.g. waste, wastewater, off-site material) required to be managed in containers using air emission controls in accordance with the standards specified in this subpart.

*Safety device* means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions to prevent physical damage or permanent deformation to equipment by venting gases or

vapors during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purpose of this subpart, a safety device is not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials.

[61 FR 34186, July 1, 1996, as amended at 64 FR 38987, July 20, 1999]

**§ 63.923 Standards—Container Level 2 controls.**

(a) This section applies to owners and operators subject to this subpart and required to control air emissions from containers using Container Level 2 controls.

(b) A container using Container Level 2 controls is one of the following:

(1) A container that meets the applicable U.S. Department of Transportation (DOT) regulations on packaging hazardous materials for transportation as specified in paragraph (f) of this section.

(2) A container that has been demonstrated to operate with no detectable organic emissions as defined in §63.921 of this subpart.

(3) A container that has been demonstrated within the preceding 12 months to be vapor-tight by using Method 27 in Appendix A of 40 CFR part 60 in accordance with the procedure specified in §63.925(b) of this subpart.

(c) Transfer of regulated-material in to or out of a container using Container Level 2 controls shall be conducted in such a manner as to minimize exposure of the regulated-material to the atmosphere, to the extent practical, considering the physical properties of the regulated-material and good engineering and safety practices for handling flammable, ignitable, explosive, or other hazardous materials. Examples of container loading procedures that meet the requirements of this paragraph include using any one of the following: a submerged-fill pipe or other submerged-fill method to load liquids into the container; a vapor-balancing system or a vapor-recovery system to collect and control the vapors displaced from the container during filling operations; or a fitted opening in the top of a container through which the regulated-material is filled, with subsequent purging of the transfer line before removing it from the container opening.

(d) Whenever a regulated-material is in a container using Container Level 2 controls, the owner or operator shall install all covers and closure devices for the container, and secure and maintain each closure device in the closed position except as follows:

(1) Opening of a closure device or cover is allowed for the purpose of adding material to the container as follows:

(i) In the case when the container is filled to the intended final level in one continuous operation, the owner or operator shall promptly secure the closure devices in the closed position and install the covers, as applicable to the container, upon conclusion of the filling operation.

(ii) In the case when discrete quantities or batches of material intermittently are added to the container over a period of time, the owner or operator shall promptly secure the closure devices in the closed position and install covers, as applicable to the container, upon either the container being filled to the intended final level, the completion of a batch loading after which no additional material will be added to the container within 15 minutes, the person performing the loading operation leaves the immediate vicinity of the container, or the shutdown of the process generating the material being added to the container, whichever condition occurs first.

(2) Opening of a closure device or cover is allowed for the purpose of removing material from the container as follows:

(i) For the purpose of meeting the requirements of this section, an empty container as defined in §63.921 of this subpart may be open to the atmosphere at any time (e.g., covers and closure devices are not required to be secured in the closed position on an empty container).

(ii) In the case when discrete quantities or batches of material are removed from the container but the container does not meet the conditions to be an empty container as defined in §63.921 of this subpart, the owner or operator shall promptly secure the closure devices in the closed position and install covers, as applicable to the container, upon the completion of a batch removal after which no additional material will be removed from the container within 15 minutes or the person performing the unloading operation leaves the immediate vicinity of the container, whichever condition occurs first.

(3) Opening of a closure device or cover is allowed when access inside the container is needed to perform routine activities other than transfer of regulated-material. Examples of such activities include those times when a worker needs to open a port to measure the depth of or sample the material in the container, or when a worker needs to open a manhole hatch to access equipment inside the container. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable to the container.

(4) Opening of a spring-loaded pressure-vacuum relief valve, conservation vent, or similar type of pressure relief device which vents to the atmosphere is allowed during normal operations for the purpose of maintaining the container internal pressure in accordance with the container design specifications. The device shall be designed to operate with no detectable organic emissions when the device is secured in the closed position. The settings at which the device opens shall be established such that the device remains in the closed position whenever the container internal pressure is within the internal pressure operating range determined by the owner or operator based on container manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials. Examples of normal operating conditions that may require these devices to open are during those times when the container internal pressure exceeds the internal pressure operating range for the container as a result of loading operations or diurnal ambient temperature fluctuations.

(5) Opening of a safety device, as defined in §63.921 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

(e) The owner or operator shall inspect containers using Container Level 2 controls in accordance with the procedures specified in §63.926(a) of this subpart.

(f) For the purpose of compliance with paragraph (b)(1) of this section, containers shall be used that meet the applicable U.S. DOT regulations on packaging hazardous materials for transportation as follows:

(1) The container meets the applicable requirements specified in 49 CFR part 178—Specifications for Packagings or 49 CFR part 179—Specifications for Tank Cars.

(2) Regulated-material is managed in the container in accordance with the applicable requirements specified in 49 CFR part 107 subpart B—Exemptions; 49 CFR part 172—Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements; 49 CFR part 173—Shippers—General Requirements for Shipments and Packaging; and 49 CFR part 180—Continuing Qualification and Maintenance of Packagings.

(3) For the purpose of complying with this subpart, no exceptions to the 49 CFR part 178 or part 179 regulations are allowed except as provided for in paragraph (f)(4) of this section.

(4) For a lab pack that is managed in accordance with the requirements of 49 CFR part 178 for the purpose of complying with this subpart, an owner or operator may comply with the exceptions for those packagings specified in 49 CFR 173.12(b).

**§ 63.925 Test methods and procedures.**

(a) Procedures for determining no detectable organic emissions for the purpose of complying with this subpart.

(1) The test shall be conducted in accordance with the procedures specified in Method 21 of 40 CFR part 60, appendix A. Each potential leak interface (i.e., a location where organic vapor leakage could occur) on the cover and associated closure devices shall be checked. Potential leak interfaces that are associated with covers and closure devices include, but are not limited to: the interface of the cover and its foundation mounting; the periphery of any opening on the cover and its associated closure device; and the sealing seat interface on a spring-loaded pressure-relief valve.

(2) The test shall be performed when the unit contains a material having a total organic concentration representative of the range of concentrations for the materials expected to be managed in the unit. During the test, the cover and closure devices shall be secured in the closed position.

(3) The detection instrument shall meet the performance criteria of Method 21 of 40 CFR part 60, appendix A, except the instrument response factor criteria in section 3.1.2(a) of Method 21 shall be for the average composition of the organic constituents in the material placed in the unit, not for each individual organic constituent.

(4) The detection instrument shall be calibrated before use on each day of its use by the procedures specified in Method 21 of 40 CFR part 60, appendix A.

(5) Calibration gases shall be as follows:

(i) Zero air (less than 10 ppmv hydrocarbon in air); and

(ii) A mixture of methane or n-hexane in air at a concentration of approximately, but less than 10,000 ppmv.

(6) An owner or operator may choose to adjust or not adjust the detection instrument readings to account for the background organic concentration level. If an owner or operator chooses to adjust the instrument readings for the background level, the background level value must be determined according to the procedures in Method 21 of 40 CFR part 60, appendix A.

(7) Each potential leak interface shall be checked by traversing the instrument probe around the potential leak interface as close to the interface as possible, as described in Method 21. In the case when the configuration of the cover or closure device prevents a complete traverse of the interface, all accessible portions of the interface shall be sampled. In the case when the configuration of the closure device prevents any sampling at the interface and the device is equipped with an enclosed extension or horn (e.g., some pressure relief devices), the instrument probe inlet shall be placed at approximately the center of the exhaust area to the atmosphere.

(8) An owner or operator must determine if a potential leak interface operates with no detectable emissions using the applicable procedure specified in paragraph (a)(8)(i) or (a)(8)(ii) of this section.

(i) If an owner or operator chooses not to adjust the detection instrument readings for the background organic concentration level, then the maximum organic concentration value measured by the detection instrument is compared directly to the applicable value for the potential leak interface as specified in paragraph (a)(9) of this section.

(ii) If an owner or operator chooses to adjust the detection instrument readings for the background organic concentration level, the value of the arithmetic difference between the maximum organic concentration value measured by the instrument and the background organic concentration value as determined in paragraph (a)(6) of this section is compared with the applicable value for the potential leak interface as specified in paragraph (a)(9) of this section.

(9) A potential leak interface is determined to operate with no detectable emissions using the applicable criteria specified in paragraphs (a)(9)(i) and (a)(9)(ii) of this section.

(i) For a potential leak interface other than a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (a)(8) is less than 500 ppmv.

(ii) For a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (a)(8) is less than 10,000 ppmv.

(b) Procedure for determining a container to be vapor-tight for the purpose of complying with this subpart.

(1) The test shall be performed in accordance with Method 27 of 40 CFR part 60, appendix A of this chapter.

(2) A pressure measurement device shall be used that has a precision of  $\pm 2.5$  mm water and that is capable of measuring above the pressure at which the container is to be tested for vapor tightness.

(3) If the test results determined by Method 27 indicate that the container sustains a pressure change less than or equal to 750 Pascals within 5 minutes after it is pressurized to a minimum of 4,500 Pascals, then the container is determined to be vapor-tight.

[61 FR 34186, July 1, 1996, as amended at 64 FR 38987, July 20, 1999]

#### **§ 63.926 Inspection and monitoring requirements.**

(a) Owners and operators of containers using either Container Level 1 or Container Level 2 controls in accordance with the provisions of §63.922 and §63.923 of this subpart, respectively, shall inspect the container and its cover and closure devices as follows:

(1) In the case when a regulated-material already is in the container at the time the owner or operator first accepts possession of the container at the facility site and the container is not emptied (i.e., does not meet the conditions for an empty container as defined in §63.921 of this subpart) within 24 hours after the container has been accepted at the facility site, the container and its cover and closure devices shall be visually inspected by the owner or operator to check for visible cracks, holes, gaps, or other open spaces into the interior of the container when the cover and closure devices are secured in the closed position. This inspection of the container must be conducted on or before the date that the container is accepted at the facility (i.e., the date that the container becomes subject to the standards under this subpart). For the purpose of this requirement, the date of acceptance is the date of signature of the facility owner or operator on the manifest or shipping papers accompanying the container. If a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (a)(3) of this section.

(2) In the case when a container filled or partially filled with regulated-material remains unopened at the facility site for a period of 1 year or more, the container and its cover and closure devices shall be visually inspected by the owner or operator initially and thereafter, at least once every calendar year, to check for visible cracks, holes, gaps, or other open spaces into the interior of the container when the cover and closure devices are secured in the closed position. If a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (a)(3) of this section.

(3) When a defect is detected for the container, cover, or closure devices, the owner or operator must either empty the regulated-material from the defective container in accordance with paragraph (a)(3)(i) of this section or repair the defective container in accordance with paragraph (a)(3)(ii) of this section.

(i) If the owner or operator elects to empty the regulated-material from the defective container, the owner or operator must remove the regulated-material from the defective container to meet the conditions for an empty container (as defined in §63.921 of this subpart) and transfer the removed regulated-material to either a container that meets the applicable standards under this subpart or to a tank, process, or treatment unit that meets the applicable standards under the subpart referencing this subpart. Transfer of the regulated-material must be completed no later than 5 calendar days after detection of the defect. The emptied defective container must be either repaired, destroyed, or used for purposes other than management of regulated-material.

(ii) If the owner or operator elects not to empty the regulated-material from the defective container, the owner or operator must repair the defective container. First efforts at repair of the defect must be made no later than 24 hours after detection and repair must be completed as soon as possible but no later than 5 calendar days after detection. If repair of a defect cannot be completed within 5 calendar days, then the regulated-material must be emptied from the container and the container must not be used to manage regulated-material until the defect is repaired.

**§ 63.929 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.920 and 63.922 through 63.924. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37355, June 23, 2003]

## SECTION E.6

## RCRA FACILITY OPERATION CONDITIONS

### Resources Recovery Conservation Act (RRCA), 40 CFR 264, Subpart AA

- (b) One (1) vacuum distillation unit, identified as EU-VD 1, rated at 1.7 million British thermal units per hour, consisting one (1) vacuum pot, one (1) vacuum column, and one(1) vacuum condenser, equipped with a 600 gallon distillate receiver, identified as EU-TK 22, equipped with a catalytic thermal oxidizer, installed in 1997, exhausting through Stacks VD 1 and FI 1, capacity: 9,600 gallons per 24 hours, holding capacity: 3,300 gallons of solvent. Under NESHAP 40 CFR 61, Subpart V and NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (f) One (1) fractionation column No.1, identified as EU-Col 1, heat input capacity: 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK18, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1983, exhausted through Stacks CV 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (g) One (1) fractionation column No.2, identified as EU-Col 2, rated at 0.522 million British thermal units per hour, attached to 275 gallon distillate receiver, identified as EU-TK19, equipped with a catalytic thermal oxidizer, identified as FI 1, installed in 1984, exhausted through Stacks CV 2 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (h) One (1) vacuum pump, identified as EU-VP 1, installed in 1994, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks VP 1 and FI 1, capacity: 275 cubic feet per minute peak. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (i) One (1) pot still, identified as EU-DP 1, installed in 1992, attached to 275 gallon distillate receiver, identified as EU-TK20, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stack DP 1 and FI 1, throughput capacity: 9,600 gallons of solvent per 24 hours, holding capacity: 3,300 gallons of solvent per batch. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (j) One (1) thin film evaporator No.1, identified as EU-TF 1, installed in 1984, equipped with a 450 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 1 and FI 1, throughput capacity: 14,400 gallons of solvent per twenty-four (24) hour period. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA this is considered an affected facility.
- (k) One (1) thin film evaporator No.2, identified as EU-TF 2, installed in 1990, equipped with a 350 gallon day tank, equipped with a catalytic thermal oxidizer, identified as FI 1, exhausted through Stacks TF 2 and FI 1, throughput capacity: 14,400 gallons of solvent per 24 hours. Under NESHAP 40 CFR 61, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

**Resources Recovery Conservation Act (RRCA), 40 CFR 264, Subpart AA (continued)**

- (oo) One (1) product storage tank, identified as EU-TK 40, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (pp) One (1) product storage tank, identified as EU-TK 41, installed in 2011, vented to a catalytic thermal oxidizer, identified as FI 1, capacity: 3,100 gallons of spent volatile organic compound waste and still bottoms. Under NESHAP 40 CFR 61, Subpart V, NESHAP 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.
- (vv) One (1) over pressurization temporary accumulation vessel, identified as EU-V 61, installed in 1997, attached to the catalytic thermal oxidizer, capacity: 165 gallons. Under 40 CFR 61, Subpart V, 40 CFR 63, Subpart DD, and the Resources Recovery Conservation Act, 40 CFR 264, Subpart AA, this is considered an affected facility.

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

**Resources Conversation Recovery Act (RCRA) Requirements**

**E.6.1 Resources Recovery Conservation Act [40 CFR Part 264, Subpart AA]**

Pursuant to 40 CFR Part 264, Subpart AA, the Permittee shall comply with the provisions of 40 CFR Part 264, Subpart AA, for the process vents from EU-VD 1/EU-TK 22, EU-Col1/EU-TK 18, EU-Col2/EU-TK 19, EU-VP 1, EU-DP 1/EU-TK 20, EU-TF 1, EU-TF 2, FI 1, EU-TK 40, EU-TK 41, and EU-V 61, and from the vacuum distillation unit, identified as EU-VD 1, as specified as follows.

**§ 264.1030 Applicability.**

(a) The regulations in this subpart apply to owners and operators of facilities that treat, store, or dispose of hazardous wastes (except as provided in §264.1).

(b) Except for §264.1034, paragraphs (d) and (e), this subpart applies to process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations that manage hazardous wastes with organic concentrations of at least 10 ppmw, if these operations are conducted in one of the following:

(1) A unit that is subject to the permitting requirements of 40 CFR part 270, or

(2) A unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 CFR part 270, or

(3) A unit that is exempt from permitting under the provisions of 40 CFR 262.34(a) (i.e., a "90-day" tank or container) and is not a recycling unit under the provisions of 40 CFR 261.6.

**§ 264.1031 Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and parts 260–266.

*Air stripping operation* is a desorption operation employed to transfer one or more volatile components from a liquid mixture into a gas (air) either with or without the application of heat to the liquid. Packed towers, spray towers, and bubble-cap, sieve, or valve-type plate towers are among the process configurations used for contacting the air and a liquid.

*Bottoms receiver* means a container or tank used to receive and collect the heavier bottoms fractions of the distillation feed stream that remain in the liquid phase.

*Closed-vent system* means a system that is not open to the atmosphere and that is composed of piping, connections, and, if necessary, flow-inducing devices that transport gas or vapor from a piece or pieces of equipment to a control device.

*Condenser* means a heat-transfer device that reduces a thermodynamic fluid from its vapor phase to its liquid phase.

*Connector* means flanged, screwed, welded, or other joined fittings used to connect two pipelines or a pipeline and a piece of equipment. For the purposes of reporting and recordkeeping, connector means flanged fittings that are not covered by insulation or other materials that prevent location of the fittings.

*Continuous recorder* means a data-recording device recording an instantaneous data value at least once every 15 minutes.

*Control device* means an enclosed combustion device, vapor recovery system, or flare. Any device the primary function of which is the recovery or capture of solvents or other organics for use, reuse, or sale (e.g., a primary condenser on a solvent recovery unit) is not a control device.

*Control device shutdown* means the cessation of operation of a control device for any purpose.

*Distillate receiver* means a container or tank used to receive and collect liquid material (condensed) from the overhead condenser of a distillation unit and from which the condensed liquid is pumped to larger storage tanks or other process units.

*Distillation operation* means an operation, either batch or continuous, separating one or more feed stream(s) into two or more exit streams, each exit stream having component concentrations different from those in the feed stream(s). The separation is achieved by the redistribution of the components between the liquid and vapor phase as they approach equilibrium within the distillation unit.

*Double block and bleed system* means two block valves connected in series with a bleed valve or line that can vent the line between the two block valves.

*Equipment* means each valve, pump, compressor, pressure relief device, sampling connection system, open-ended valve or line, or flange or other connector, and any control devices or systems required by this subpart.

*Flame zone* means the portion of the combustion chamber in a boiler occupied by the flame envelope.

*Flow indicator* means a device that indicates whether gas flow is present in a vent stream.

*First attempt at repair* means to take rapid action for the purpose of stopping or reducing leakage of organic material to the atmosphere using best practices.

*Fractionation operation* means a distillation operation or method used to separate a mixture of several volatile components of different boiling points in successive stages, each stage removing from the mixture some proportion of one of the components.

*Hazardous waste management unit shutdown* means a work practice or operational procedure that stops operation of a hazardous waste management unit or part of a hazardous waste management unit. An unscheduled work practice or operational procedure that stops operation of a hazardous waste management unit or part of a hazardous waste

management unit for less than 24 hours is not a hazardous waste management unit shutdown. The use of spare equipment and technically feasible bypassing of equipment without stopping operation are not hazardous waste management unit shutdowns.

*Hot well* means a container for collecting condensate as in a steam condenser serving a vacuum-jet or steam-jet ejector.

*In gas/vapor service* means that the piece of equipment contains or contacts a hazardous waste stream that is in the gaseous state at operating conditions.

*In heavy liquid service* means that the piece of equipment is not in gas/vapor service or in light liquid service.

*In light liquid service* means that the piece of equipment contains or contacts a waste stream where the vapor pressure of one or more of the organic components in the stream is greater than 0.3 kilopascals (kPa) at 20 °C, the total concentration of the pure organic components having a vapor pressure greater than 0.3 kilopascals (kPa) at 20 °C is equal to or greater than 20 percent by weight, and the fluid is a liquid at operating conditions.

*In situ sampling systems* means nonextractive samplers or in-line samplers.

*In vacuum service* means that equipment is operating at an internal pressure that is at least 5 kPa below ambient pressure.

*Malfunction* means any sudden failure of a control device or a hazardous waste management unit or failure of a hazardous waste management unit to operate in a normal or usual manner, so that organic emissions are increased.

*Open-ended valve or line* means any valve, except pressure relief valves, having one side of the valve seat in contact with hazardous waste and one side open to the atmosphere, either directly or through open piping.

*Pressure release* means the emission of materials resulting from the system pressure being greater than the set pressure of the pressure relief device.

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

*Process vent* means any open-ended pipe or stack that is vented to the atmosphere either directly, through a vacuum-producing system, or through a tank (e.g., distillate receiver, condenser, bottoms receiver, surge control tank, separator tank, or hot well) associated with hazardous waste distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations.

*Repaired* means that equipment is adjusted, or otherwise altered, to eliminate a leak.

*Sampling connection system* means an assembly of equipment within a process or waste management unit used during periods of representative operation to take samples of the process or waste fluid. Equipment used to take non-routine grab samples is not considered a sampling connection system.

*Sensor* means a device that measures a physical quantity or the change in a physical quantity, such as temperature, pressure, flow rate, pH, or liquid level.

*Separator tank* means a device used for separation of two immiscible liquids.

*Solvent extraction operation* means an operation or method of separation in which a solid or solution is contacted with a liquid solvent (the two being mutually insoluble) to preferentially dissolve and transfer one or more components into the solvent.

*Startup* means the setting in operation of a hazardous waste management unit or control device for any purpose.

*Steam stripping operation* means a distillation operation in which vaporization of the volatile constituents of a liquid mixture takes place by the introduction of steam directly into the charge.

*Surge control tank* means a large-sized pipe or storage reservoir sufficient to contain the surging liquid discharge of the process tank to which it is connected.

*Thin-film evaporation operation* means a distillation operation that employs a heating surface consisting of a large diameter tube that may be either straight or tapered, horizontal or vertical. Liquid is spread on the tube wall by a rotating assembly of blades that maintain a close clearance from the wall or actually ride on the film of liquid on the wall.

*Vapor incinerator* means any enclosed combustion device that is used for destroying organic compounds and does not extract energy in the form of steam or process heat.

*Vented* means discharged through an opening, typically an open-ended pipe or stack, allowing the passage of a stream of liquids, gases, or fumes into the atmosphere. The passage of liquids, gases, or fumes is caused by mechanical means such as compressors or vacuum-producing systems or by process-related means such as evaporation produced by heating and not caused by tank loading and unloading (working losses) or by natural means such as diurnal temperature changes.

[55 FR 25494, June 21, 1990, as amended at 62 FR 64657, Dec. 8, 1997; 64 FR 3389, Jan. 21, 1999]

#### **§ 264.1032 Standards: Process vents.**

(a) The owner or operator of a facility with process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations managing hazardous wastes with organic concentrations of at least 10 ppmw shall either:

(1) Reduce total organic emissions from all affected process vents at the facility below 1.4 kg/h (3 lb/h) and 2.8 Mg/yr (3.1 tons/yr), or

(2) Reduce, by use of a control device, total organic emissions from all affected process vents at the facility by 95 weight percent.

(b) If the owner or operator installs a closed-vent system and control device to comply with the provisions of paragraph (a) of this section the closed-vent system and control device must meet the requirements of §264.1033.

(c) Determinations of vent emissions and emission reductions or total organic compound concentrations achieved by add-on control devices may be based on engineering calculations or performance tests. If performance tests are used to determine vent emissions, emission reductions, or total organic compound concentrations achieved by add-on control devices, the performance tests must conform with the requirements of §264.1034(c).

(d) When an owner or operator and the Regional Administrator do not agree on determinations of vent emissions and/or emission reductions or total organic compound concentrations achieved by add-on control devices based on engineering calculations, the procedures in §264.1034(c) shall be used to resolve the disagreement.

#### **§ 264.1033 Standards: Closed-vent systems and control devices.**

(a)(1) Owners or operators of closed-vent systems and control devices used to comply with provisions of this part shall comply with the provisions of this section.

(2)(i) The owner or operator of an existing facility who cannot install a closed-vent system and control device to comply with the provisions of this subpart on the effective date that the facility becomes subject to the provisions of this subpart must prepare an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The controls must be installed as soon as possible, but the

implementation schedule may allow up to 30 months after the effective date that the facility becomes subject to this subpart for installation and startup.

(ii) Any unit that begins operation after December 21, 1990, and is subject to the provisions of this subpart when operation begins, must comply with the rules immediately (i.e., must have control devices installed and operating on startup of the affected unit); the 30-month implementation schedule does not apply.

(iii) The owner or operator of any facility in existence on the effective date of a statutory or EPA regulatory amendment that renders the facility subject to this subpart shall comply with all requirements of this subpart as soon as practicable but no later than 30 months after the amendment's effective date. When control equipment required by this subpart can not be installed and begin operation by the effective date of the amendment, the facility owner or operator shall prepare an implementation schedule that includes the following information: Specific calendar dates for award of contracts or issuance of purchase orders for the control equipment, initiation of on-site installation of the control equipment, completion of the control equipment installation, and performance of any testing to demonstrate that the installed equipment meets the applicable standards of this subpart. The owner or operator shall enter the implementation schedule in the operating record or in a permanent, readily available file located at the facility.

(iv) Owners and operators of facilities and units that become newly subject to the requirements of this subpart after December 8, 1997, due to an action other than those described in paragraph (a)(2)(iii) of this section must comply with all applicable requirements immediately (i.e., must have control devices installed and operating on the date the facility or unit becomes subject to this subpart; the 30-month implementation schedule does not apply).

(b) A control device involving vapor recovery (e.g., a condenser or adsorber) shall be designed and operated to recover the organic vapors vented to it with an efficiency of 95 weight percent or greater unless the total organic emission limits of §264.1032(a)(1) for all affected process vents can be attained at an efficiency less than 95 weight percent.

(c) An enclosed combustion device (e.g., a vapor incinerator, boiler, or process heater) shall be designed and operated to reduce the organic emissions vented to it by 95 weight percent or greater; to achieve a total organic compound concentration of 20 ppmv, expressed as the sum of the actual compounds, not carbon equivalents, on a dry basis corrected to 3 percent oxygen; or to provide a minimum residence time of 0.50 seconds at a minimum temperature of 760 °C. If a boiler or process heater is used as the control device, then the vent stream shall be introduced into the flame zone of the boiler or process heater.

(d)(1) A flare shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (e)(1) of this section, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) A flare shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f)(2)(iii) of this section.

(3) A flare shall be used only if the net heating value of the gas being combusted is 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or if the net heating value of the gas being combusted is 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (e)(2) of this section.

(4)(i) A steam-assisted or nonassisted flare shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (e)(3) of this section, less than 18.3 m/s (60 ft/s), except as provided in paragraphs (d)(4) (ii) and (iii) of this section.

(ii) A steam-assisted or nonassisted flare designed for and operated with an exit velocity, as determined by the methods specified in paragraph (e)(3) of this section, equal to or greater than 18.3 m/s (60 ft/s) but less than 122 m/s (400 ft/s) is allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) A steam-assisted or nonassisted flare designed for and operated with an exit velocity, as determined by the methods specified in paragraph (e)(3) of this section, less than the velocity,  $V_{max}$ , as determined by the method specified in paragraph (e)(4) of this section and less than 122 m/s (400 ft/s) is allowed.

(5) An air-assisted flare shall be designed and operated with an exit velocity less than the velocity,  $V_{max}$ , as determined by the method specified in paragraph (e)(5) of this section.

(6) A flare used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(e)(1) Reference Method 22 in 40 CFR part 60 shall be used to determine the compliance of a flare with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \left[ \sum_{i=1}^n C_i H_i \right]$$

where:

$H_T$ =Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to 1 mol is 20 °C;

$K$ =Constant,  $1.74 \times 10^{-7}$  (1/ppm) (g mol/scm) (MJ/kcal) where standard temperature for (g mol/scm) is 20 °C;

$C_i$ =Concentration of sample component  $i$  in ppm on a wet basis, as measured for organics by Reference Method 18 in 40 CFR part 60 and measured for hydrogen and carbon monoxide by ASTM D 1946–82 (incorporated by reference as specified in §260.11); and

$H_i$ =Net heat of combustion of sample component  $i$ , kcal/9 mol at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D 2382–83 (incorporated by reference as specified in §260.11) if published values are not available or cannot be calculated.

(3) The actual exit velocity of a flare shall be determined by dividing the volumetric flow rate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D in 40 CFR part 60 as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

(4) The maximum allowed velocity in m/s,  $V_{max}$ , for a flare complying with paragraph (d)(4)(iii) of this section shall be determined by the following equation:

$$\text{Log}_{10}(V_{max}) = (H_T + 28.8) / 31.7$$

where:

28.8=Constant,

31.7=Constant,

$H_T$ =The net heating value as determined in paragraph (e)(2) of this section.

(5) The maximum allowed velocity in m/s,  $V_{max}$ , for an air-assisted flare shall be determined by the following equation:

$$V_{max} = 8.706 + 0.7084 (H_T)$$

where:

8.706=Constant,

0.7084=Constant,

$H_T$ =The net heating value as determined in paragraph (e)(2) of this section.

(f) The owner or operator shall monitor and inspect each control device required to comply with this section to ensure proper operation and maintenance of the control device by implementing the following requirements:

(1) Install, calibrate, maintain, and operate according to the manufacturer's specifications a flow indicator that provides a record of vent stream flow from each affected process vent to the control device at least once every hour. The flow indicator sensor shall be installed in the vent stream at the nearest feasible point to the control device inlet but before the point at which the vent streams are combined.

(2) Install, calibrate, maintain, and operate according to the manufacturer's specifications a device to continuously monitor control device operation as specified below:

(i) For a thermal vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device shall have an accuracy of  $\pm 1$  percent of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5$   $^{\circ}\text{C}$ , whichever is greater. The temperature sensor shall be installed at a location in the combustion chamber downstream of the combustion zone.

(ii) For a catalytic vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device shall be capable of monitoring temperature at two locations and have an accuracy of  $\pm 1$  percent of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5$   $^{\circ}\text{C}$ , whichever is greater. One temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed inlet and a second temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed outlet.

(iii) For a flare, a heat sensing monitoring device equipped with a continuous recorder that indicates the continuous ignition of the pilot flame.

(iv) For a boiler or process heater having a design heat input capacity less than 44 MW, a temperature monitoring device equipped with a continuous recorder. The device shall have an accuracy of  $\pm 1$  percent of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5$   $^{\circ}\text{C}$ , whichever is greater. The temperature sensor shall be installed at a location in the furnace downstream of the combustion zone.

(v) For a boiler or process heater having a design heat input capacity greater than or equal to 44 MW, a monitoring device equipped with a continuous recorder to measure a parameter(s) that indicates good combustion operating practices are being used.

(vi) For a condenser, either:

(A) A monitoring device equipped with a continuous recorder to measure the concentration level of the organic compounds in the exhaust vent stream from the condenser, or

(B) A temperature monitoring device equipped with a continuous recorder. The device shall be capable of monitoring temperature with an accuracy of  $\pm 1$  percent of the temperature being monitored in degrees Celsius ( $^{\circ}\text{C}$ ) or  $\pm 0.5$   $^{\circ}\text{C}$ , whichever is greater. The temperature sensor shall be installed at a location in the exhaust vent stream from the condenser exit (i.e., product side).

(vii) For a carbon adsorption system that regenerates the carbon bed directly in the control device such as a fixed-bed carbon adsorber, either:

(A) A monitoring device equipped with a continuous recorder to measure the concentration level of the organic compounds in the exhaust vent stream from the carbon bed, or

(B) A monitoring device equipped with a continuous recorder to measure a parameter that indicates the carbon bed is regenerated on a regular, predetermined time cycle.

(3) Inspect the readings from each monitoring device required by paragraphs (f)(1) and (2) of this section at least once each operating day to check control device operation and, if necessary, immediately implement the corrective measures necessary to ensure the control device operates in compliance with the requirements of this section.

(g) An owner or operator using a carbon adsorption system such as a fixed-bed carbon adsorber that regenerates the carbon bed directly onsite in the control device shall replace the existing carbon in the control device with fresh carbon at a regular, predetermined time interval that is no longer than the carbon service life established as a requirement of §264.1035(b)(4)(iii)(F).

(h) An owner or operator using a carbon adsorption system such as a carbon canister that does not regenerate the carbon bed directly onsite in the control device shall replace the existing carbon in the control device with fresh carbon on a regular basis by using one of the following procedures:

(1) Monitor the concentration level of the organic compounds in the exhaust vent stream from the carbon adsorption system on a regular schedule, and replace the existing carbon with fresh carbon immediately when carbon breakthrough is indicated. The monitoring frequency shall be daily or at an interval no greater than 20 percent of the time required to consume the total carbon working capacity established as a requirement of §264.1035(b)(4)(iii)(G), whichever is longer.

(2) Replace the existing carbon with fresh carbon at a regular, predetermined time interval that is less than the design carbon replacement interval established as a requirement of §264.1035(b)(4)(iii)(G).

(i) An alternative operational or process parameter may be monitored if it can be demonstrated that another parameter will ensure that the control device is operated in conformance with these standards and the control device's design specifications.

(j) An owner or operator of an affected facility seeking to comply with the provisions of this part by using a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system is required to develop documentation including sufficient information to describe the control device operation and identify the process parameter or parameters that indicate proper operation and maintenance of the control device.

(k) A closed-vent system shall meet either of the following design requirements:

(1) A closed-vent system shall be designed to operate with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background as determined by the procedure in §264.1034(b) of this subpart, and by visual inspections; or

(2) A closed-vent system shall be designed to operate at a pressure below atmospheric pressure. The system shall be equipped with at least one pressure gauge or other pressure measurement device that can be read from a readily accessible location to verify that negative pressure is being maintained in the closed-vent system when the control device is operating.

(l) The owner or operator shall monitor and inspect each closed-vent system required to comply with this section to ensure proper operation and maintenance of the closed-vent system by implementing the following requirements:

(1) Each closed-vent system that is used to comply with paragraph (k)(1) of this section shall be inspected and monitored in accordance with the following requirements:

(i) An initial leak detection monitoring of the closed-vent system shall be conducted by the owner or operator on or before the date that the system becomes subject to this section. The owner or operator shall monitor the closed-vent system components and connections using the procedures specified in §264.1034(b) of this subpart to demonstrate that the closed-vent system operates with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background.

(ii) After initial leak detection monitoring required in paragraph (l)(1)(i) of this section, the owner or operator shall inspect and monitor the closed-vent system as follows:

(A) Closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted and gasketed ducting flange) shall be visually inspected at least once per year to check for defects that could result in air pollutant emissions. The owner or operator shall monitor a component or connection using the procedures specified in §264.1034(b) of this subpart to demonstrate that it operates with no detectable emissions following any time the component is repaired or replaced (e.g., a section of damaged hard piping is replaced with new hard piping) or the connection is unsealed (e.g., a flange is unbolted).

(B) Closed-vent system components or connections other than those specified in paragraph (l)(1)(ii)(A) of this section shall be monitored annually and at other times as requested by the Regional Administrator, except as provided for in paragraph (o) of this section, using the procedures specified in §264.1034(b) of this subpart to demonstrate that the components or connections operate with no detectable emissions.

(iii) In the event that a defect or leak is detected, the owner or operator shall repair the defect or leak in accordance with the requirements of paragraph (l)(3) of this section.

(iv) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in §264.1035 of this subpart.

(2) Each closed-vent system that is used to comply with paragraph (k)(2) of this section shall be inspected and monitored in accordance with the following requirements:

(i) The closed-vent system shall be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork or piping or loose connections.

(ii) The owner or operator shall perform an initial inspection of the closed-vent system on or before the date that the system becomes subject to this section. Thereafter, the owner or operator shall perform the inspections at least once every year.

(iii) In the event that a defect or leak is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (l)(3) of this section.

(iv) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in §264.1035 of this subpart.

(3) The owner or operator shall repair all detected defects as follows:

(i) Detectable emissions, as indicated by visual inspection, or by an instrument reading greater than 500 ppmv above background, shall be controlled as soon as practicable, but not later than 15 calendar days after the emission is detected, except as provided for in paragraph (l)(3)(iii) of this section.

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

(iii) Delay of repair of a closed-vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be completed by the end of the next process unit shutdown.

(iv) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in §264.1035 of this subpart.

(m) Closed-vent systems and control devices used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(n) The owner or operator using a carbon adsorption system to control air pollutant emissions shall document that all carbon that is a hazardous waste and that is removed from the control device is managed in one of the following manners, regardless of the average volatile organic concentration of the carbon:

(1) Regenerated or reactivated in a thermal treatment unit that meets one of the following:

(i) The owner or operator of the unit has been issued a final permit under 40 CFR part 270 which implements the requirements of subpart X of this part; or

(ii) The unit is equipped with and operating air emission controls in accordance with the applicable requirements of subparts AA and CC of either this part or of 40 CFR part 265; or

(iii) The unit is equipped with and operating air emission controls in accordance with a national emission standard for hazardous air pollutants under 40 CFR part 61 or 40 CFR part 63.

(2) Incinerated in a hazardous waste incinerator for which the owner or operator either:

(i) Has been issued a final permit under 40 CFR part 270 which implements the requirements of subpart O of this part; or

(ii) Has designed and operates the incinerator in accordance with the interim status requirements of 40 CFR part 265, subpart O.

(3) Burned in a boiler or industrial furnace for which the owner or operator either:

(i) Has been issued a final permit under 40 CFR part 270 which implements the requirements of 40 CFR part 266, subpart H; or

(ii) Has designed and operates the boiler or industrial furnace in accordance with the interim status requirements of 40 CFR part 266, subpart H.

(o) Any components of a closed-vent system that are designated, as described in §264.1035(c)(9) of this subpart, as unsafe to monitor are exempt from the requirements of paragraph (l)(1)(ii)(B) of this section if:

(1) The owner or operator of the closed-vent system determines that the components of the closed-vent system are unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (l)(1)(ii)(B) of this section; and

(2) The owner or operator of the closed-vent system adheres to a written plan that requires monitoring the closed-vent system components using the procedure specified in paragraph (l)(1)(ii)(B) of this section as frequently as practicable during safe-to-monitor times.

[55 FR 25494, June 21, 1990, as amended at 56 FR 19290, Apr. 26, 1991; 59 FR 62927, Dec. 6, 1994; 61 FR 4911, Feb. 9, 1996; 61 FR 59950, Nov. 25, 1996; 62 FR 64657, Dec. 8, 1997; 71 FR 40274, July 14, 2006]

#### **§ 264.1034 Test methods and procedures.**

(a) Each owner or operator subject to the provisions of this subpart shall comply with the test methods and procedures requirements provided in this section.

(b) When a closed-vent system is tested for compliance with no detectable emissions, as required in §264.1033(l) of this subpart, the test shall comply with the following requirements:

(1) Monitoring shall comply with Reference Method 21 in 40 CFR part 60.

- (2) The detection instrument shall meet the performance criteria of Reference Method 21.
- (3) The instrument shall be calibrated before use on each day of its use by the procedures specified in Reference Method 21.
- (4) Calibration gases shall be:
- (i) Zero air (less than 10 ppm of hydrocarbon in air).
  - (ii) A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.
- (5) The background level shall be determined as set forth in Reference Method 21.
- (6) The instrument probe shall be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21.
- (7) The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.
- (c) Performance tests to determine compliance with §264.1032(a) and with the total organic compound concentration limit of §264.1033(c) shall comply with the following:
- (1) Performance tests to determine total organic compound concentrations and mass flow rates entering and exiting control devices shall be conducted and data reduced in accordance with the following reference methods and calculation procedures:
    - (i) Method 2 in 40 CFR part 60 for velocity and volumetric flow rate.
    - (ii) Method 18 or Method 25A in 40 CFR part 60, appendix A, for organic content. If Method 25A is used, the organic HAP used as the calibration gas must be the single organic HAP representing the largest percent by volume of the emissions. The use of Method 25A is acceptable if the response from the high-level calibration gas is at least 20 times the standard deviation of the response from the zero calibration gas when the instrument is zeroed on the most sensitive scale.
    - (iii) Each performance test shall consist of three separate runs; each run conducted for at least 1 hour under the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. For the purpose of determining total organic compound concentrations and mass flow rates, the average of results of all runs shall apply. The average shall be computed on a time-weighted basis.
    - (iv) Total organic mass flow rates shall be determined by the following equation:
      - (A) For sources utilizing Method 18.

$$E_h = Q_{2sd} \left\{ \sum_{i=1}^n C_i MW_i \right\} [0.0416] [10^{-6}]$$

Where:

$E_h$  = Total organic mass flow rate, kg/h;

$Q_{2sd}$  = Volumetric flow rate of gases entering or exiting control device, as determined by Method 2, dscm/h;

$n$  = Number of organic compounds in the vent gas;

$C_i$  = Organic concentration in ppm, dry basis, of compound  $i$  in the vent gas, as determined by Method 18;

$MW_i$  = Molecular weight of organic compound  $i$  in the vent gas, kg/kg-mol;

0.0416 = Conversion factor for molar volume, kg-mol/m<sup>3</sup> (@ 293 K and 760 mm Hg);

$10^{-6}$  = Conversion from ppm

(B) For sources utilizing Method 25A.

$$E_h = (Q)(C)(MW)(0.0416)(10^{-6})$$

Where:

$E_h$  = Total organic mass flow rate, kg/h;

$Q$  = Volumetric flow rate of gases entering or exiting control device, as determined by Method 2, dscm/h;

$C$  = Organic concentration in ppm, dry basis, as determined by Method 25A;

$MW$  = Molecular weight of propane, 44;

0.0416 = Conversion factor for molar volume, kg-mol/m<sup>3</sup> (@ 293 K and 760 mm Hg);

$10^{-6}$  = Conversion from ppm.

(v) The annual total organic emission rate shall be determined by the following equation:

$$E_A = (E_h)(H)$$

where:

$E_A$  = Total organic mass emission rate, kg/y;

$E_h$  = Total organic mass flow rate for the process vent, kg/h;

$H$  = Total annual hours of operations for the affected unit, h.

(vi) Total organic emissions from all affected process vents at the facility shall be determined by summing the hourly total organic mass emission rates ( $E_h$  as determined in paragraph (c)(1)(iv) of this section) and by summing the annual total organic mass emission rates ( $E_A$ , as determined in paragraph (c)(1)(v) of this section) for all affected process vents at the facility.

(2) The owner or operator shall record such process information as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test.

(3) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(i) Sampling ports adequate for the test methods specified in paragraph (c)(1) of this section.

(ii) Safe sampling platform(s).

(iii) Safe access to sampling platform(s).

(iv) Utilities for sampling and testing equipment.

(4) For the purpose of making compliance determinations, the time-weighted average of the results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the owner or operator's control, compliance may, upon the Regional Administrator's approval, be determined using the average of the results of the two other runs.

(d) To show that a process vent associated with a hazardous waste distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation is not subject to the requirements of this subpart, the owner or operator must make an initial determination that the time-weighted, annual average total organic concentration of the waste managed by the waste management unit is less than 10 ppmw using one of the following two methods:

(1) Direct measurement of the organic concentration of the waste using the following procedures:

(i) The owner or operator must take a minimum of four grab samples of waste for each waste stream managed in the affected unit under process conditions expected to cause the maximum waste organic concentration.

(ii) For waste generated onsite, the grab samples must be collected at a point before the waste is exposed to the atmosphere such as in an enclosed pipe or other closed system that is used to transfer the waste after generation to the first affected distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation. For waste generated offsite, the grab samples must be collected at the inlet to the first waste management unit that receives the waste provided the waste has been transferred to the facility in a closed system such as a tank truck and the waste is not diluted or mixed with other waste.

(iii) Each sample shall be analyzed and the total organic concentration of the sample shall be computed using Method 9060A (incorporated by reference under 40 CFR 260.11) of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, or analyzed for its individual organic constituents.

(iv) The arithmetic mean of the results of the analyses of the four samples shall apply for each waste stream managed in the unit in determining the time-weighted, annual average total organic concentration of the waste. The time-weighted average is to be calculated using the annual quantity of each waste stream processed and the mean organic concentration of each waste stream managed in the unit.

(2) Using knowledge of the waste to determine that its total organic concentration is less than 10 ppmw. Documentation of the waste determination is required. Examples of documentation that shall be used to support a determination under this provision include production process information documenting that no organic compounds are used, information that the waste is generated by a process that is identical to a process at the same or another facility that has previously been demonstrated by direct measurement to generate a waste stream having a total organic content less than 10 ppmw, or prior speciation analysis results on the same waste stream where it can also be documented that no process changes have occurred since that analysis that could affect the waste total organic concentration.

(e) The determination that distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations manage hazardous wastes with time-weighted, annual average total organic concentrations less than 10 ppmw shall be made as follows:

(1) By the effective date that the facility becomes subject to the provisions of this subpart or by the date when the waste is first managed in a waste management unit, whichever is later, and

(2) For continuously generated waste, annually, or

(3) Whenever there is a change in the waste being managed or a change in the process that generates or treats the waste.

(f) When an owner or operator and the Regional Administrator do not agree on whether a distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation manages a hazardous waste with organic concentrations of at least 10 ppmw based on knowledge of the waste, the dispute may be resolved by using direct measurement as specified at paragraph (d)(1) of this section.

[55 FR 25494, June 21, 1990, as amended at 61 FR 59951, Nov. 25, 1996; 62 FR 32462, June 13, 1997; 70 FR 34581, June 14, 2005; 71 FR 40274, July 14, 2006]

### **§ 264.1035 Recordkeeping requirements.**

(a)(1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section.

(2) An owner or operator of more than one hazardous waste management unit subject to the provisions of this subpart may comply with the recordkeeping requirements for these hazardous waste management units in one recordkeeping system if the system identifies each record by each hazardous waste management unit.

(b) Owners and operators must record the following information in the facility operating record:

(1) For facilities that comply with the provisions of §264.1033(a)(2), an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The schedule must also include a rationale of why the installation cannot be completed at an earlier date. The implementation schedule must be in the facility operating record by the effective date that the facility becomes subject to the provisions of this subpart.

(2) Up-to-date documentation of compliance with the process vent standards in §264.1032, including:

(i) Information and data identifying all affected process vents, annual throughput and operating hours of each affected unit, estimated emission rates for each affected vent and for the overall facility (i.e., the total emissions for all affected vents at the facility), and the approximate location within the facility of each affected unit (e.g., identify the hazardous waste management units on a facility plot plan).

(ii) Information and data supporting determinations of vent emissions and emission reductions achieved by add-on control devices based on engineering calculations or source tests. For the purpose of determining compliance, determinations of vent emissions and emission reductions must be made using operating parameter values (e.g., temperatures, flow rates, or vent stream organic compounds and concentrations) that represent the conditions that result in maximum organic emissions, such as when the waste management unit is operating at the highest load or capacity level reasonably expected to occur. If the owner or operator takes any action (e.g., managing a waste of different composition or increasing operating hours of affected waste management units) that would result in an increase in total organic emissions from affected process vents at the facility, then a new determination is required.

(3) Where an owner or operator chooses to use test data to determine the organic removal efficiency or total organic compound concentration achieved by the control device, a performance test plan. The test plan must include:

(i) A description of how it is determined that the planned test is going to be conducted when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. This shall include the estimated or design flow rate and organic content of each vent stream and define the acceptable operating ranges of key process and control device parameters during the test program.

(ii) A detailed engineering description of the closed-vent system and control device including:

(A) Manufacturer's name and model number of control device.

(B) Type of control device.

(C) Dimensions of the control device.

(D) Capacity.

(E) Construction materials.

(iii) A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis.

(4) Documentation of compliance with §264.1033 shall include the following information:

(i) A list of all information references and sources used in preparing the documentation.

(ii) Records, including the dates, of each compliance test required by §264.1033(k).

(iii) If engineering calculations are used, a design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions" (incorporated by reference as specified in §260.11) or other engineering texts acceptable to the Regional Administrator that present basic control device design information. Documentation provided by the control device manufacturer or vendor that describes the control device design in accordance with paragraphs (b)(4)(iii)(A) through (b)(4)(iii)(G) of this section may be used to comply with this requirement. The design analysis shall address the vent stream characteristics and control device operation parameters as specified below.

(A) For a thermal vapor incinerator, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also establish the design minimum and average temperature in the combustion zone and the combustion zone residence time.

(B) For a catalytic vapor incinerator, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also establish the design minimum and average temperatures across the catalyst bed inlet and outlet.

(C) For a boiler or process heater, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also establish the design minimum and average flame zone temperatures, combustion zone residence time, and description of method and location where the vent stream is introduced into the combustion zone.

(D) For a flare, the design analysis shall consider the vent stream composition, constituent concentrations, and flow rate. The design analysis shall also consider the requirements specified in §264.1033(d).

(E) For a condenser, the design analysis shall consider the vent stream composition, constituent concentrations, flow rate, relative humidity, and temperature. The design analysis shall also establish the design outlet organic compound concentration level, design average temperature of the condenser exhaust vent stream, and design average temperatures of the coolant fluid at the condenser inlet and outlet.

(F) For a carbon adsorption system such as a fixed-bed adsorber that regenerates the carbon bed directly onsite in the control device, the design analysis shall consider the vent stream composition, constituent concentrations, flow rate, relative humidity, and temperature. The design analysis shall also establish the design exhaust vent stream organic compound concentration level, number and capacity of carbon beds, type and working capacity of activated carbon used for carbon beds, design total steam flow over the period of each complete carbon bed regeneration cycle, duration of the carbon bed steaming and cooling/drying cycles, design carbon bed temperature after regeneration, design carbon bed regeneration time, and design service life of carbon.

(G) For a carbon adsorption system such as a carbon canister that does not regenerate the carbon bed directly onsite in the control device, the design analysis shall consider the vent stream composition, constituent concentrations, flow rate, relative humidity, and temperature. The design analysis shall also establish the design outlet organic concentration level, capacity of carbon bed, type and working capacity of activated carbon used for carbon bed, and

design carbon replacement interval based on the total carbon working capacity of the control device and source operating schedule.

(iv) A statement signed and dated by the owner or operator certifying that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur.

(v) A statement signed and dated by the owner or operator certifying that the control device is designed to operate at an efficiency of 95 percent or greater unless the total organic concentration limit of §264.1032(a) is achieved at an efficiency less than 95 weight percent or the total organic emission limits of §264.1032(a) for affected process vents at the facility can be attained by a control device involving vapor recovery at an efficiency less than 95 weight percent. A statement provided by the control device manufacturer or vendor certifying that the control equipment meets the design specifications may be used to comply with this requirement.

(vi) If performance tests are used to demonstrate compliance, all test results.

(c) Design documentation and monitoring, operating, and inspection information for each closed-vent system and control device required to comply with the provisions of this part shall be recorded and kept up-to-date in the facility operating record. The information shall include:

(1) Description and date of each modification that is made to the closed-vent system or control device design.

(2) Identification of operating parameter, description of monitoring device, and diagram of monitoring sensor location or locations used to comply with §264.1033 (f)(1) and (f)(2).

(3) Monitoring, operating, and inspection information required by paragraphs (f) through (k) of §264.1033.

(4) Date, time, and duration of each period that occurs while the control device is operating when any monitored parameter exceeds the value established in the control device design analysis as specified below:

(i) For a thermal vapor incinerator designed to operate with a minimum residence time of 0.50 second at a minimum temperature of 760 °C, period when the combustion temperature is below 760 °C.

(ii) For a thermal vapor incinerator designed to operate with an organic emission reduction efficiency of 95 weight percent or greater, period when the combustion zone temperature is more than 28 °C below the design average combustion zone temperature established as a requirement of paragraph (b)(4)(iii)(A) of this section.

(iii) For a catalytic vapor incinerator, period when:

(A) Temperature of the vent stream at the catalyst bed inlet is more than 28 °C below the average temperature of the inlet vent stream established as a requirement of paragraph (b)(4)(iii)(B) of this section, or

(B) Temperature difference across the catalyst bed is less than 80 percent of the design average temperature difference established as a requirement of paragraph (b)(4)(iii)(B) of this section.

(iv) For a boiler or process heater, period when:

(A) Flame zone temperature is more than 28 °C below the design average flame zone temperature established as a requirement of paragraph (b)(4)(iii)(C) of this section, or

(B) Position changes where the vent stream is introduced to the combustion zone from the location established as a requirement of paragraph (b)(4)(iii)(C) of this section.

(v) For a flare, period when the pilot flame is not ignited.

(vi) For a condenser that complies with §264.1033(f)(2)(vi)(A), period when the organic compound concentration level or readings of organic compounds in the exhaust vent stream from the condenser are more than 20 percent greater than the design outlet organic compound concentration level established as a requirement of paragraph (b)(4)(iii)(E) of this section.

(vii) For a condenser that complies with §264.1033(f)(2)(vi)(B), period when:

(A) Temperature of the exhaust vent stream from the condenser is more than 6 °C above the design average exhaust vent stream temperature established as a requirement of paragraph (b)(4)(iii)(E) of this section; or

(B) Temperature of the coolant fluid exiting the condenser is more than 6 °C above the design average coolant fluid temperature at the condenser outlet established as a requirement of paragraph (b)(4)(iii)(E) of this section.

(viii) For a carbon adsorption system such as a fixed-bed carbon adsorber that regenerates the carbon bed directly onsite in the control device and complies with §264.1033(f)(2)(vii)(A), period when the organic compound concentration level or readings of organic compounds in the exhaust vent stream from the carbon bed are more than 20 percent greater than the design exhaust vent stream organic compound concentration level established as a requirement of paragraph (b)(4)(iii)(F) of this section.

(ix) For a carbon adsorption system such as a fixed-bed carbon adsorber that regenerates the carbon bed directly onsite in the control device and complies with §264.1033(f)(2)(vii)(B), period when the vent stream continues to flow through the control device beyond the predetermined carbon bed regeneration time established as a requirement of paragraph (b)(4)(iii)(F) of this section.

(5) Explanation for each period recorded under paragraph (4) of the cause for control device operating parameter exceeding the design value and the measures implemented to correct the control device operation.

(6) For a carbon adsorption system operated subject to requirements specified in §264.1033(g) or §264.1033(h)(2), date when existing carbon in the control device is replaced with fresh carbon.

(7) For a carbon adsorption system operated subject to requirements specified in §264.1033(h)(1), a log that records:

(i) Date and time when control device is monitored for carbon breakthrough and the monitoring device reading.

(ii) Date when existing carbon in the control device is replaced with fresh carbon.

(8) Date of each control device startup and shutdown.

(9) An owner or operator designating any components of a closed-vent system as unsafe to monitor pursuant to §264.1033(o) of this subpart shall record in a log that is kept in the facility operating record the identification of closed-vent system components that are designated as unsafe to monitor in accordance with the requirements of §264.1033(o) of this subpart, an explanation for each closed-vent system component stating why the closed-vent system component is unsafe to monitor, and the plan for monitoring each closed-vent system component.

(10) When each leak is detected as specified in §264.1033(l) of this subpart, the following information shall be recorded:

(i) The instrument identification number, the closed-vent system component identification number, and the operator name, initials, or identification number.

(ii) The date the leak was detected and the date of first attempt to repair the leak.

(iii) The date of successful repair of the leak.

(iv) Maximum instrument reading measured by Method 21 of 40 CFR part 60, appendix A after it is successfully repaired or determined to be nonrepairable.

(v) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.

(A) The owner or operator may develop a written procedure that identifies the conditions that justify a delay of repair. In such cases, reasons for delay of repair may be documented by citing the relevant sections of the written procedure.

(B) If delay of repair was caused by depletion of stocked parts, there must be documentation that the spare parts were sufficiently stocked on-site before depletion and the reason for depletion.

(d) Records of the monitoring, operating, and inspection information required by paragraphs (c)(3) through (c)(10) of this section shall be maintained by the owner or operator for at least 3 years following the date of each occurrence, measurement, maintenance, corrective action, or record.

(e) For a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system, the Regional Administrator will specify the appropriate recordkeeping requirements.

(f) Up-to-date information and data used to determine whether or not a process vent is subject to the requirements in §264.1032 including supporting documentation as required by §264.1034(d)(2) when application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced is used, shall be recorded in a log that is kept in the facility operating record.

[55 FR 25494, June 21, 1990, as amended at 56 FR 19290, Apr. 26, 1991; 61 FR 59952, Nov. 25, 1996; 71 FR 40274, July 14, 2006]

### **§ 264.1036 Reporting requirements.**

(a) A semiannual report shall be submitted by owners and operators subject to the requirements of this subpart to the Regional Administrator by dates specified by the Regional Administrator. The report shall include the following information:

(1) The Environmental Protection Agency identification number, name, and address of the facility.

(2) For each month during the semiannual reporting period, dates when the control device exceeded or operated outside of the design specifications as defined in §264.1035(c)(4) and as indicated by the control device monitoring required by §264.1033(f) and such exceedances were not corrected within 24 hours, or that a flare operated with visible emissions as defined in §264.1033(d) and as determined by Method 22 monitoring, the duration and cause of each exceedance or visible emissions, and any corrective measures taken.

(b) If, during the semiannual reporting period, the control device does not exceed or operate outside of the design specifications as defined in §264.1035(c)(4) for more than 24 hours or a flare does not operate with visible emissions as defined in §264.1033(d), a report to the Regional Administrator is not required.

## SECTION E.7 NESHAP Subpart HHHHH - FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: Insignificant Activities

- (d) (4) Two (2) mixing tanks, identified as WT1 and WT2, permitted in 2009, with an approximate capacity of 650 gallons.

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

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

#### E.7.1 General Provisions Relating to NESHAP, Subpart HHHHH [326 IAC 20-88] [40 CFR Part 63, Subpart A]

The provisions of 40 CFR Part 63 Subpart A - General Provisions, which are incorporated by reference in 326 IAC 201-1, apply to the affected source, as designated by 40 CFR 63.7985(a), except when otherwise specified in 40 CFR Part 63, Subpart HHHHH.

#### E.7.2 National Emission Standards for Hazardous Air Pollutants: Miscellaneous Surface Coating Manufacturing [40 CFR Part 63, Subpart HHHHH] [326 IAC 20-88]

Pursuant to 40 CFR Part 63, Subpart HHHHH, (included as Attachment B of this permit), the Permittee shall comply with the provisions of the National Emission Standards for Hazardous Air Pollutants: Miscellaneous Surface Coating Manufacturing, for process vessels WT1 and WT2 as follows:

- (1) 40 CFR 63.8000
- (2) 40 CFR 63.8005
- (3) 40 CFR 63.8010
- (4) 40 CFR 63.8015
- (5) 40 CFR 63.8020
- (6) 40 CFR 63.8025
- (7) 40 CFR 63.8050
- (8) 40 CFR 63.8055
- (9) 40 CFR 63.8070
- (10) 40 CFR 63.80105
- (11) 40 CFR 63.8075
- (12) 40 CFR 63.8080
- (13) 40 CFR 63.8090
- (14) 40 CFR 63.8095
- (15) Table 1
- (16) Table 2
- (17) Table 3
- (18) Table 4
- (19) Table 5
- (20) Table 9
- (21) Table 10

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY**

**PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Reclaimed Energy, Division of Superior Oil Company, Inc.  
Source Address: 1500 Western Avenue, Connersville, Indiana 47331  
Mailing Address: 1500 Western Avenue, Connersville, Indiana 47331  
Part 70 Permit No.: T 041-21620-00015

**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: Reclaimed Energy, Division of Superior Oil Company, Inc.  
Source Address: 1500 Western Avenue, Connersville, Indiana 47331  
Mailing Address: 1500 Western Avenue, Connersville, Indiana 47331  
Part 70 Permit No.: T 041-21620-00015

**This form consists of 2 pages**

**Page 1 of 2**

<input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12)
X 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
X 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 Describe:
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: Reclaimed Energy, Division of Superior Oil Company, Inc.  
Source Address: 1500 Western Avenue, Connersville, Indiana 47331  
Mailing Address: 1500 Western Avenue, Connersville, Indiana 47331  
Part 70 Permit No.: T 041-21620-00015

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

Page 1 of 2

<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 (specify permit condition #)</b>	
<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 (specify permit condition #)</b>	
<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 (specify permit condition #)</b>	
<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 (specify permit condition #)</b>	
<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 (specify permit condition #)</b>	
<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.

**Emissions Calculations  
Tank VOC Emissions - Potential to Emit**

**Company Name: Reclaimed Energy Company, Inc.  
Address City IN Zip: 1500 Western Avenue, Connersville, Indiana 47331  
Part 70: T 041-21620-00015  
Reviewer: Ghassan Shalabi  
Date: July 26, 2011**

Tank Number	Product Stored	Losses (pounds per Year)		VOC Emissions
		Breathing	Working	(tons/yr)
TK-40 and TK-41	Ethyl Acetate	49.280	797.370	0.423
	Hexane	94.250	1317.690	0.706

**Worst Case VOC: 1.129**

**METHODOLOGY**

VOC emissions = losses (Breathing + Working) lb/yr / 2000 lb/ton



# 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  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

## **SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED**

**TO:** Kellee Cobb  
Reclaimed Energy – Division of Superior Oil, Inc  
1500 Western Ave  
Connersville, IN 47331

**DATE:** July 29, 2011

**FROM:** Matt Stuckey, Branch Chief  
Permits Branch  
Office of Air Quality

**SUBJECT:** Final Decision  
Administrative Amendment  
041-30702-00015

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:  
Steven Wakefield (Reclaimed Energy)  
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at [jbrush@idem.IN.gov](mailto:jbrush@idem.IN.gov).

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

IDEM Staff	MIDENNEY 7/29/2011 Reclaimed Energy Division of Superior Oil Co., Inc. 041-30702-00015 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	 Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Kellee Cobb Reclaimed Energy Division of Superior Oil Co., Inc. 1500 Western Ave Connersville IN 47331 (Source CAATS) via confirm delivery										
2		Steven Wakefield Reclaimed Energy Division of Superior Oil Co., Inc. 1402 N Capital Ave Indianapolis IN 46204 (RO CAATS)										
3		Connersville City Council and Mayors Office 500 Central Avenue Connersville IN 47331 (Local Official)										
4		Fayette County Health Department 401 N Central Ave Ste 8 Connersville IN 47331-1901 (Health Department)										
5		Fayette County Commissioners 401 Central Ave Connersville IN 47331 (Local Official)										
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Total number of pieces Listed by Sender <b>4</b>	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See <b>Domestic Mail Manual R900, S913, and S921</b> for limitations of coverage on insured and COD mail. See <b>International Mail Manual</b> for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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