

Environmental Protection Agency

§ 65.1

- 65.102 Alternative means of emission limitation.
- 65.103 Equipment identification.
- 65.104 Instrument and sensory monitoring for leaks.
- 65.105 Leak repair.
- 65.106 Standards: Valves in gas/vapor service and in light liquid service.
- 65.107 Standards: Pumps in light liquid service.
- 65.108 Standards: Connectors in gas/vapor service and in light liquid service.
- 65.109 Standards: Agitators in gas/vapor service and in light liquid service.
- 65.110 Standards: Pumps, valves, connectors, and agitators in heavy liquid service; pressure relief devices in liquid service; and instrumentation systems.
- 65.111 Standards: Pressure relief devices in gas/vapor service.
- 65.112 Standards: Compressors.
- 65.113 Standards: Sampling connection systems.
- 65.114 Standards: Open-ended valves or lines.
- 65.115 Standards: Closed vent systems and control devices; or emissions routed to a fuel gas system or process.
- 65.116 Quality improvement program for pumps.
- 65.117 Alternative means of emission limitation: Batch processes.
- 65.118 Alternative means of emission limitation: Enclosed-vented process units.
- 65.119 Recordkeeping provisions.
- 65.120 Reporting provisions.
- 65.121–65.139 [Reserved]

TABLE 1 TO SUBPART F OF PART 65— BATCH PROCESS MONITORING FREQUENCY FOR EQUIPMENT OTHER THAN CONNECTORS

Subpart G—Closed Vent Systems, Control Devices, and Routing to a Fuel Gas System or a Process

- 65.140 Applicability.
- 65.141 Definitions.
- 65.142 Standards.
- 65.143 Closed vent systems.
- 65.144 Fuel gas systems and processes to which storage vessel, transfer rack, or equipment leak regulated material emissions are routed.
- 65.145 Nonflare control devices used to control emissions from storage vessels or low-throughput transfer racks.
- 65.146 Nonflare control devices used for equipment leaks only.
- 65.147 Flares.
- 65.148 Incinerators.
- 65.149 Boilers and process heaters.
- 65.150 Absorbers used as control devices.
- 65.151 Condensers used as control devices.
- 65.152 Carbon adsorbers used as control devices.

- 65.153 Absorbers, condensers, carbon adsorbers, and other recovery devices used as final recovery devices.
- 65.154 Halogen scrubbers and other halogen reduction devices.
- 65.155 Other control devices.
- 65.156 General monitoring requirements for control and recovery devices.
- 65.157 Performance test and flare compliance determination requirements.
- 65.158 Performance test procedures for control devices.
- 65.159 Flare compliance determination and monitoring records.
- 65.160 Performance test and TRE index value determination records.
- 65.161 Continuous records and monitoring system data handling.
- 65.162 Nonflare control and recovery device monitoring records.
- 65.163 Other records.
- 65.164 Performance test and flare compliance determination notifications and reports.
- 65.165 Initial Compliance Status Reports.
- 65.166 Periodic reports.
- 65.167 Other reports.
- 65.168–65.169 [Reserved]

AUTHORITY: 42 U.S.C. 7401 *et seq.*

SOURCE: 65 FR 78285, Dec. 14, 2000, unless otherwise noted.

Subpart A—General Provisions

§ 65.1 Applicability.

(a) The provisions of this subpart apply to owners or operators expressly referenced to this part from a subpart of 40 CFR part 60, 61, or 63 for which the owner or operator has chosen to comply with the provisions of this part as an alternative to the provisions in the referencing subpart as specified in paragraph (b) of this section.

(b) Owners or operators may choose to comply with this part for any regulated source subject to a referencing subpart.

(c) Compliance with this part instead of the referencing subparts does not alter the applicability of the referencing subparts. This part applies to only the equipment, process vents, storage vessels, or transfer operations to which the referencing subparts apply. This part does not extend applicability to equipment, process vents, storage vessels, or transfer operations that are not regulated by the referencing subpart.

(d) The provisions of 40 CFR part 60, subpart A; 40 CFR part 61, subpart A;

§ 65.2

and 40 CFR part 63, subpart A, that are listed in table 1 of this subpart still apply to owners or operators of regulated sources expressly referenced to this part. The owner or operator shall comply with the provisions in table 1 of this subpart in the column corresponding to the referencing subpart. All provisions of 40 CFR part 60, subpart A; 40 CFR part 61, subpart A; and 40 CFR part 63, subpart A, not expressly referenced in table 1 of this subpart do not apply, and the provisions of this part apply instead, except that provisions which were required to be met prior to implementation of this part 65 still apply.

(e) The provisions of the referencing subparts that are listed in table 2 of this subpart still apply to owners or operators of regulated sources expressly referenced to this part. The owner or operator shall comply with the provisions in table 2 of this subpart in the row corresponding to the referencing subpart. All provisions of the referencing subparts not expressly referenced in table 2 to this subpart do not apply and the provisions of this part apply instead, except that provisions which were required to be met prior to implementation of this part 65 still apply.

(f) *Implementation date.* Owners or operators who choose to comply with this part shall comply by the dates specified in paragraph (f)(1) of this section, as applicable, and shall meet the requirement in paragraph (f)(2) of this section.

(1) Owners or operators shall implement this part as specified in an implementation schedule or at initial start-up. The implementation date shall be established by mutual agreement with the Administrator or delegated authority. The implementation schedule shall be included in the source's title V permit. For non-title V sources, the implementation schedule shall be proposed by the source in the Initial Notification for Part 65 Applicability as specified in § 65.5(c).

(2) There shall be no gaps in compliance between compliance with the referencing subpart and compliance with this part.

(g) *Transitioning out of this part.* Owners or operators who decide to no

40 CFR Ch. I (7-1-03 Edition)

longer comply with this part and to comply with the provisions in the referencing subpart instead shall comply with the following, as applicable:

(1) This transition shall be carried out on a date established in a title V permit or if the source is not a title V source, by a date established by agreement with the Administrator or delegated authority. The transition date shall be proposed in a title V permit amendment, or for non-title V sources, in a periodic report or separate notice.

(2) There shall be no gaps in compliance between compliance with this part and compliance with the referencing subpart provisions.

(h) *Overlap with other subparts of this part.* When provisions of another subpart of this part conflict with the provisions of this subpart, the provisions of the other subpart shall apply.

(i) *Equipment assignment procedures.* If specific items of equipment (pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, instrumentation systems, surge control vessels, and bottoms receivers) that are part of a process unit complying with this part are managed by different administrative organizations (for example, different companies, affiliates, departments, divisions, etc.), those items of equipment may be aggregated with any process unit within the plant site.

§ 65.2 Definitions.

All terms used in this part shall have the meaning given them in the Act and in this section. If a term is defined both in this section and in other parts that reference the use of this part, the term shall have the meaning given in this section for purposes of this part. If a term is not defined in the Act or in this section, the term shall have the meaning given in the referencing subpart for purposes of this part. The terms follow:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*).

Administrator means the Administrator of the United States Environmental Protection Agency (EPA) or his or her authorized representative (for