

§ 63.1000

40 CFR Ch. I (7–1–04 Edition)

the Administrator in the Periodic Report submitted immediately preceding implementation of the alternative. The notifications specified in § 63.998(b)(5)(ii) shall be included in the next Periodic Report following the identified event.

(7) As specified in § 63.997(c)(3), if an owner or operator at a facility not required to obtain a title V permit elects at a later date to replace an existing control or recovery device with a different control or recovery device, then the Administrator shall be notified by the owner or operator before implementing the change. This notification may be included in the facility's periodic reporting.

(d) *Requests for approval of monitoring alternatives.* (1) *Alternatives to the continuous operating parameter monitoring and recordkeeping provisions.* Requests for approval to use alternatives to continuous operating parameter monitoring and recordkeeping provisions, as provided for in § 63.996(d)(1), shall be submitted as specified in a referencing subpart, and the referencing subpart will govern the review and approval of such requests. The information specified in paragraphs (d)(1)(i) and (ii) of this section shall be included.

(i) A description of the proposed alternative system; and

(ii) Information justifying the owner or operator's request for an alternative method, such as the technical or economic infeasibility, or the impracticality, of the regulated source using the required method.

(2) *Monitoring a different parameter than those listed.* Requests for approval to monitor a different parameter than those established in § 63.996(c)(6) of this section or to set unique monitoring parameters, as provided for in § 63.996(d)(2), shall be submitted as specified in a referencing subpart, and the referencing subpart will govern the review and approval of such requests. The information specified in paragraphs (d)(2)(i) through (iii) of this section shall be included in the request.

(i) A description of the parameter(s) to be monitored to ensure the control technology or pollution prevention measure is operated in conformance with its design and achieves the speci-

fied emission limit, percent reduction, or nominal efficiency, and an explanation of the criteria used to select the parameter(s);

(ii) A description of the methods and procedures that will be used to demonstrate that the parameter indicates proper operation of the control device, the schedule for this demonstration, and a statement that the owner or operator will establish a range for the monitored parameter(s) as part of the Notification of Compliance Status if required under a referencing subpart, unless this information has already been submitted; and

(iii) The frequency and content of monitoring, recording, and reporting, if monitoring and recording is not continuous, or if reports of daily average values when the monitored parameter value is outside the established range will not be included in periodic reports under paragraph (c) of this section. The rationale for the proposed monitoring, recording, and reporting system shall be included.

[64 FR 34866, June 29, 1999, as amended at 64 FR 63705, Nov. 22, 1999]

Subpart TT—National Emission Standards for Equipment Leaks—Control Level 1

SOURCE: 64 FR 34886, June 29, 1999, unless otherwise noted.

§ 63.1000 Applicability.

(a) The provisions of this subpart apply to the control of air emissions from equipment leaks for which another subpart references the use of this subpart for such air emission control. These air emission standards for equipment leaks are placed here for administrative convenience and only apply to those owners and operators of facilities subject to the referencing subpart. The provisions of 40 CFR part 63 subpart A (General Provisions) do not apply to this subpart except as noted in the referencing subpart.

(b) *Implementation and enforcement.* This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (EPA), or a delegated authority such as the applicable State, local, or tribal agency. If the

Environmental Protection Agency

§ 63.1001

EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency has the authority to implement and enforce this subpart. Contact the applicable EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency.

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

(i) Approval of alternatives to the nonopacity emissions standards in §§ 63.1003 through 63.1015, under § 63.6(g). Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

(ii) [Reserved]

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

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

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

(c) *Exemptions.* Paragraphs (c)(1) through (c)(3) delineate equipment that is excluded from the requirements of this subpart.

(1) *Equipment in vacuum service.* Equipment that is in vacuum service is excluded from the requirements of this subpart.

(2) *Equipment in service less than 300 hours per calendar year.* Equipment that is in regulated material service less than 300 hours per calendar year is excluded from the requirements of §§ 63.1006 through 63.1015 if it is identified as required in § 63.1003(b)(5).

(3) *Lines and equipment not containing process fluids.* Except as provided in a referencing subpart, lines and equipment not containing process fluids are not subject to the provisions of this subpart. Utilities, and other non-process lines, such as heating and cooling systems which do not combine their materials with those in the proc-

esses they serve, are not considered to be part of a process unit or affected facility.

[64 FR 34886, June 29, 1999, as amended at 64 FR 63705, Nov. 22, 1999; 67 FR 46278, July 12, 2002]

§ 63.1001 Definitions.

All terms used in this part shall have the meaning given them in the Act and in this section.

Closed-loop system means an enclosed system that returns process fluid to the process and is not vented directly to the atmosphere.

Closed-purge system means a system or combination of systems and portable containers to capture purged liquids. Containers must be covered or closed when not being filled or emptied.

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

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

Connector means flanged, screwed, or other joined fittings used to connect two pipelines or a pipeline and a piece of equipment. A common connector is a flange. Joined fittings welded completely around the circumference of the interface are not considered connectors for the purpose of this regulation. For the purpose of reporting and recordkeeping, connector means joined fittings that are not inaccessible, ceramic, or ceramic-lined (e.g., porcelain, glass, or glass-lined) as described in § 63.1008(d)(2).

Control device means any combustion device, recovery device, recapture device, or any combination of these devices used to comply with this part. Such equipment or devices include, but are not limited to, absorbers, carbon adsorbers, condensers, incinerators, flares, boilers, and process heaters. Primary condensers on steam strippers or fuel gas systems are not considered control devices.

Distance piece means an open or enclosed casing through which the piston