

from the enforcement agency of an exceedance of the visible emission limitation.

(d) *Revisions to plan.* Revisions to the work practice emission control plan will be governed by the provisions in this paragraph (d) and in paragraph (a)(2) of this section. The reviewing authority is the Administrator or the delegated State, local, or Tribal authority.

(1) The reviewing authority may request the owner or operator to review and revise as needed the work practice emission control plan for a particular emission point if there are 2 exceedances of the applicable visible emission limitation in the 6-month period that starts 30 days after the owner or operator is required to implement work practices under paragraph (c) of this section. In the case of a coke oven battery subject to visual emission limitations under this subpart, the second exceedance must be independent of the criteria in paragraph (c)(1)(i) of this section.

(2) The reviewing authority may not request the owner or operator to review and revise the plan more than twice in any 12 consecutive month period for any particular emission point unless the reviewing authority disapproves the plan according to the provisions in paragraph (d)(6) of this section.

(3) If the certified observer calculates that a second exceedance (or, if applicable, a second independent exceedance) has occurred, the certified observer shall notify the owner or operator. No later than 10 days after receipt of such a notification, the owner or operator shall notify the reviewing authority of any finding of whether work practices are related to the cause or the solution of the problem. The notification is subject to review by the reviewing authority according to the provisions in paragraph (d)(6) of this section.

(4) The owner or operator shall submit a revised work practice plan within 60 days of notification from the reviewing authority under paragraph (d)(1) of this section, unless the reviewing authority grants an extension of time to submit the revised plan.

(5) If the reviewing authority requires a plan revision, the reviewing authority may require the plan to address a subject area or areas in addition to those in paragraph (b) of this section, if the reviewing authority determines that without plan coverage of such an additional subject area, there is a reasonable probability of further exceedances of the visible emission limitation for the emission point for which a plan revision is required.

(6) The reviewing authority may disapprove a plan revision required under paragraph (d) of this section if the reviewing authority determines that the revised plan is inadequate to prevent exceedances of the visible emission limitation under this subpart for the emission point for which a plan revision is required or, in the case of a battery not subject to visual emission limitations under this subpart, other federally enforceable emission limitations for such emission point. The reviewing authority may also disapprove the finding that may be submitted pursuant to paragraph (d)(3) of this section if the reviewing authority determines that a revised plan is needed to prevent exceedances of the applicable visible emission limitations.

[58 FR 57911, Oct. 27, 1993, as amended at 68 FR 37345, June 23, 2003]

§ 63.307 Standards for bypass/bleeder stacks.

(a)(1) Except as otherwise provided in this section, on or before March 31, 1994, the owner or operator of an existing by-product recovery battery for which a notification was not submitted under paragraph (e)(1) of this section shall install a bypass/bleeder stack flare system that is capable of controlling 120 percent of the normal gas flow generated by the battery, which shall thereafter be operated and maintained.

(2) Coke oven emissions shall not be vented to the atmosphere through bypass/bleeder stacks, except through the flare system or the alternative control device as described in paragraph (d) of this section.

(3) The owner or operator of a brownfield coke oven battery or a padup rebuild shall install such a flare

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system before startup, and shall properly operate and maintain the flare system.

(b) Each flare installed pursuant to this section shall meet the following requirements:

(1) Each flare shall be designed for a net heating value of 8.9 MJ/scm (240 Btu/scf) if a flare is steam-assisted or air-assisted, or a net value of 7.45 MJ/scm (200 Btu/scf) if the flare is non-assisted.

(2) Each flare shall have either a continuously operable pilot flame or an electronic igniter that meets the requirements of paragraphs (b)(3) and (b)(4) of this section.

(3) Each electronic igniter shall meet the following requirements:

(i) Each flare shall be equipped with at least two igniter plugs with redundant igniter transformers;

(ii) The ignition units shall be designed failsafe with respect to flame detection thermocouples (i.e., any flame detection thermocouples are used only to indicate the presence of a flame, are not interlocked with the ignition unit, and cannot deactivate the ignition system); and

(iii) Integral battery backup shall be provided to maintain active ignition operation for a minimum of 15 minutes during a power failure.

(iv) Each electronic igniter shall be operated to initiate ignition when the bleeder valve is not fully closed as indicated by an "OPEN" limit switch.

(4) Each flare installed to meet the requirements of this paragraph (b) that does not have an electronic igniter shall be operated with a pilot flame present at all times as determined by § 63.309(h)(2).

(c) Each flare installed to meet the requirements of this section shall be operated with no visible emissions, as determined by the methods specified in § 63.309(h)(1), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(d) As an alternative to the installation, operation, and maintenance of a flare system as required in paragraph (a) of this section, the owner or operator may petition the Administrator for approval of an alternative control device or system that achieves at least 98 percent destruction or control of

coke oven emissions vented to the alternative control device or system.

(e) The owner or operator of a by-product coke oven battery is exempt from the requirements of this section if the owner or operator:

(1) Submits to the Administrator, no later than November 10, 1993, a formal commitment to close the battery permanently; and

(2) Closes the battery permanently no later than December 31, 1995. In no case may the owner or operator continue to operate a battery for which a closure commitment is submitted, past December 31, 1995.

(f) Any emissions resulting from the installation of flares (or other pollution control devices or systems approved pursuant to paragraph (d) of this section) shall not be used in making new source review determinations under part C and part D of title I of the Act.

§ 63.308 Standards for collecting mains.

(a) On and after November 15, 1993, the owner or operator of a by-product coke oven battery shall inspect the collecting main for leaks at least once daily according to the procedures in Method 303 in appendix A to this part.

(b) The owner or operator shall record the time and date a leak is first observed, the time and date the leak is temporarily sealed, and the time and date of repair.

(c) The owner or operator shall temporarily seal any leak in the collecting main as soon as possible after detection, but no later than 4 hours after detection of the leak.

(d) The owner or operator shall initiate a collecting main repair as expeditiously as possible, but no later than 5 calendar days after initial detection of the leak. The repair shall be completed within 15 calendar days after initial detection of the leak unless an alternative schedule is approved by the Administrator.

§ 63.309 Performance tests and procedures.

(a) Except as otherwise provided, a daily performance test shall be conducted each day, 7 days per week for