

Environmental Protection Agency

§ 63.309

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

each new and existing coke oven battery, the results of which shall be used in accordance with procedures specified in this subpart to determine compliance with each of the applicable visible emission limitations for coke oven doors, topside port lids, offtake systems, and charging operations in this subpart. If a facility pushes and charges only at night, then that facility must, at its option, change their schedule and charge during daylight hours or provide adequate lighting so that visible emission inspections can be made at night. "Adequate lighting" will be determined by the enforcement agency.

(1) Each performance test is to be conducted according to the procedures and requirements in this section and in Method 303 or 303A in appendix A to this part or Methods 9 and 22 in appendix A to part 60 of this chapter (where applicable).

(2) Each performance test is to be conducted by a certified observer.

(3) The certified observer shall complete any reasonable safety training program offered by the owner or operator prior to conducting any performance test at a coke oven battery.

(4) Except as otherwise provided in paragraph (a)(5) of this section, the owner or operator shall pay an inspection fee to the enforcement agency each calendar quarter to defray the costs of the daily performance tests required under paragraph (a) of this section.

(i) The inspection fee shall be determined according to the following formula:

$$F = H \times S \quad (\text{Eq. 3})$$

where

F=Fees to be paid by owner or operator.

H=Total person hours for inspections: 4 hours for 1 coke oven battery, 6.25 hours for 2 coke oven batteries, 8.25 hours for 3 coke oven batteries. For more than 3 coke oven batteries, use these hours to calculate the appropriate estimate of person hours.

S=Current average hourly rate for private visible emission inspectors in the relevant market.

(ii) The enforcement agency may revise the value for H in equation 3 within 3 years after October 27, 1993 to reflect the amount of time actually required to conduct the inspections re-

quired under paragraph (a) of this section.

(iii) The owner or operator shall not be required to pay an inspection fee (or any part thereof) under paragraph (a)(4) of this section, for any monitoring or inspection services required by paragraph (a) of this section that the owner or operator can demonstrate are covered by other fees collected by the enforcement agency.

(iv) Upon request, the enforcement agency shall provide the owner or operator information concerning the inspection services covered by any other fees collected by the enforcement agency, and any information relied upon under paragraph (a)(4)(ii) of this section.

(5)(i) The EPA shall be the enforcement agency during any period of time that a delegation of enforcement authority is not in effect or a withdrawal of enforcement authority under §63.313 is in effect, and the Administrator is responsible for performing the inspections required by this section, pursuant to §63.313(c).

(ii) Within thirty (30) days of receiving notification from the Administrator that the EPA is the enforcement agency for a coke oven battery, the owner or operator shall enter into a contract providing for the inspections and performance tests required under this section to be performed by a Method 303 certified observer. The inspections and performance tests will be conducted at the expense of the owner or operator, during the period that the EPA is the implementing agency.

(b) The enforcement agency shall commence daily performance tests on the applicable date specified in §63.300 (a) or (c).

(c) The certified observer shall conduct each performance test according to the requirements in this paragraph:

(1) The certified observer shall conduct one run each day to observe and record visible emissions from each coke oven door (except for doors covered by an alternative standard under §63.305), topside port lid, and offtake system on each coke oven battery. The certified observer also shall conduct five runs to observe and record the seconds of visible emissions per charge for five consecutive charges from each

coke oven battery. The observer may perform additional runs as needed to obtain and record a visible emissions value (or set of values) for an emission point that is valid under Method 303 or Method 303A in appendix A to this part. Observations from fewer than five consecutive charges shall constitute a valid set of charging observations only in accordance with the procedures and conditions specified in sections 3.8 and 3.9 of Method 303 in appendix A to this part.

(2) If a valid visible emissions value (or set of values) is not obtained for a performance test, there is no compliance determination for that day. Compliance determinations will resume on the next day that a valid visible emissions value (or set of values) is obtained.

(3) After each performance test for a by-product coke oven battery, the certified observer shall check and record the collecting main pressure according to the procedures in section 6.3 of Method 303 in appendix A to this part.

(i) The owner or operator shall demonstrate pursuant to Method 303 in appendix A to this part the accuracy of the pressure measurement device upon request of the certified observer;

(ii) The owner or operator shall not adjust the pressure to a level below the range of normal operation during or prior to the inspection;

(4) The certified observer shall monitor visible emissions from coke oven doors subject to an alternative standard under §63.305 on the schedule specified in §63.305(f).

(5) If applicable, the certified observer shall monitor the opacity of any emissions escaping the control device for a shed covering doors subject to an alternative standard under §63.305 on the schedule specified in §63.305(f).

(6) In no case shall the owner or operator knowingly block a coke oven door, or any portion of a door for the purpose of concealing emissions or preventing observations by the certified observer.

(d) Using the observations obtained from each performance test, the enforcement agency shall compute and record, in accordance with the procedures and requirements of Method 303 or 303A in appendix A to this part, for each day of operations on which a valid

emissions value (or set of values) is obtained:

(1) The 30-run rolling average of the percent leaking coke oven doors, top-side port lids, and offtake systems on each coke oven battery, using the equations in sections 4.5.3.2, 5.6.5.2, and 5.6.6.2 of Method 303 (or section 3.4.3.2 of Method 303A) in appendix A to this part;

(2) For by-product coke oven battery charging operations, the logarithmic 30-day rolling average of the seconds of visible emissions per charge for each battery, using the equation in section 3.9 of Method 303 in appendix A to this part;

(3) For a battery subject to an alternative emission limitation for coke oven doors on by-product coke oven batteries pursuant to §63.305, the 30-run rolling average of the percent leaking coke oven doors for any side of the battery not subject to such alternative emission limitation;

(4) For a by-product coke oven battery subject to the small battery emission limitation for coke oven doors pursuant to §63.304(b)(7), the 30-run rolling average of the number of leaking coke oven doors;

(5) For an approved alternative emission limitation for coke oven doors according to §63.305, the weekly or monthly observation of the percent leaking coke oven doors using Method 303 in appendix A to this part, the percent opacity of visible emissions from the control device for the shed using Method 9 in appendix A to part 60 of this chapter, and visible emissions from the shed using Method 22 in appendix A to part 60 of this chapter;

(e) The certified observer shall make available to the implementing agency as well as to the owner or operator, a copy of the daily inspection results by the end of the day and shall make available the calculated rolling average for each emission point to the owner or operator as soon as practicable following each performance test. The information provided by the certified observer is not a compliance determination. For the purpose of notifying an owner or operator of the results obtained by a certified observer, the person does not have to be certified.

§ 63.310

40 CFR Ch. I (7-1-04 Edition)

(f) Compliance shall not be determined more often than the schedule provided for performance tests under this section. If additional valid emissions observations are obtained (or in the case of charging, valid sets of emission observations), the arithmetic average of all valid values (or valid sets of values) obtained during the day shall be used in any computations performed to determine compliance under paragraph (d) of this section or determinations under § 63.306.

(g) Compliance with the alternative standards for nonrecovery coke oven batteries in § 63.303; shed inspection, maintenance requirements, and monitoring requirements for parameters affecting the shed exhaust flow rate for batteries subject to alternative standards for coke oven doors under § 63.305; work practice emission control plan requirements in § 63.306; standards for bypass/bleeder stacks in § 63.307; and standards for collecting mains in § 63.308 is to be determined by the enforcement agency based on review of records and inspections.

(h) For a flare installed to meet the requirements of § 63.307(b):

(1) Compliance with the provisions in § 63.307(c) (visible emissions from flares) shall be determined using Method 22 in appendix A to part 60 of this chapter, with an observation period of 2 hours; and

(2) Compliance with the provisions in § 63.307(b)(4) (flare pilot light) shall be determined using a thermocouple or any other equivalent device.

(i) No observations obtained during any program for training or for certifying observers under this subpart shall be used to determine compliance with the requirements of this subpart or any other federally enforceable standard.

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

§ 63.310 Requirements for startups, shutdowns, and malfunctions.

(a) At all times including periods of startup, shutdown, and malfunction, the owner or operator shall operate and maintain the coke oven battery and its pollution control equipment required under this subpart, in a manner consistent with good air pollution control

practices for minimizing emissions to the levels required by any applicable performance standards under this subpart. Failure to adhere to the requirement of this paragraph shall not constitute a separate violation if a violation of an applicable performance or work practice standard has also occurred.

(b) Each owner or operator of a coke oven battery shall develop and implement according to paragraph (c) of this section, a written startup, shutdown, and malfunction plan that describes procedures for operating the battery, including associated air pollution control equipment, during a period of a startup, shutdown, or malfunction in a manner consistent with good air pollution control practices for minimizing emissions, and procedures for correcting malfunctioning process and air pollution control equipment as quickly as practicable.

(c) During a period of startup, shutdown, or malfunction:

(1) The owner or operator of a coke oven battery shall operate the battery (including associated air pollution control equipment) in accordance with the procedure specified in the startup, shutdown, and malfunction plan; and

(2) Malfunctions shall be corrected as soon as practicable after their occurrence, in accordance with the plan.

(d) In order for the provisions of paragraph (i) of this section to apply with respect to the observation (or set of observations) for a particular day, notification of a startup, shutdown, or a malfunction shall be made by the owner or operator:

(1) If practicable, to the certified observer if the observer is at the facility during the occurrence; or

(2) To the enforcement agency, in writing, within 24 hours of the occurrence first being documented by a company employee, and if the notification under paragraph (d)(1) of this section was not made, an explanation of why no such notification was made.

(e) Within 14 days of the notification made under paragraph (d) of this section, or after a startup or shutdown, the owner or operator shall submit a written report to the applicable permitting authority that: