

Touch-up and Repair Coating—A coating used to cover minor coating imperfections appearing after the main coating operation.

Wet fastener installation coating—A primer or sealant applied by dipping, brushing, or daubing to fasteners that are installed before the coating is cured.

Wing coating—A corrosion-resistant topcoat that is resilient enough to withstand the flexing of the wings.

[63 FR 15026, Mar. 27, 1998]

Subpart HH—National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

SOURCE: 64 FR 32628, June 17, 1999, unless otherwise noted.

§ 63.760 Applicability and designation of affected source.

(a) This subpart applies to the owners and operators of the emission points, specified in paragraph (b) of this section that are located at oil and natural gas production facilities that meet the specified criteria in paragraphs (a)(1) and either (a)(2) or (a)(3) of this section.

(1) Facilities that are major or area sources of hazardous air pollutants (HAP) as defined in § 63.761. Emissions for major source determination purposes can be estimated using the maximum natural gas or hydrocarbon liquid throughput, as appropriate, calculated in paragraphs (a)(1)(i) through (iii) of this section. As an alternative to calculating the maximum natural gas or hydrocarbon liquid throughput, the owner or operator of a new or existing source may use the facility's design maximum natural gas or hydrocarbon liquid throughput to estimate the maximum potential emissions. Other means to determine the facility's major source status are allowed, provided the information is documented and recorded to the Administrator's satisfaction. A facility that is determined to be an area source, but subsequently increases its emissions or its potential to emit above the major source levels (without first obtaining and complying with other limitations that keep its potential to emit HAP below major source levels), and becomes a major source, must comply

thereafter with all provisions of this subpart applicable to a major source starting on the applicable compliance date specified in paragraph (f) of this section. Nothing in this paragraph is intended to preclude a source from limiting its potential to emit through other appropriate mechanisms that may be available through the permitting authority.

(i) If the owner or operator documents, to the Administrator's satisfaction, a decline in annual natural gas or hydrocarbon liquid throughput, as appropriate, each year for the 5 years prior to June 17, 1999, the owner or operator shall calculate the maximum natural gas or hydrocarbon liquid throughput used to determine maximum potential emissions according to the requirements specified in paragraph (a)(1)(i)(A) of this section. In all other circumstances, the owner or operator shall calculate the maximum throughput used to determine whether a facility is a major source in accordance with the requirements specified in paragraph (a)(1)(i)(B) of this section.

(A) The maximum natural gas or hydrocarbon liquid throughput is the average of the annual natural gas or hydrocarbon liquid throughput for the 3 years prior to June 17, 1999, multiplied by a factor of 1.2.

(B) The maximum natural gas or hydrocarbon liquid throughput is the highest annual natural gas or hydrocarbon liquid throughput over the 5 years prior to June 17, 1999, multiplied by a factor of 1.2.

(ii) The owner or operator shall maintain records of the annual facility natural gas or hydrocarbon liquid throughput each year and upon request submit such records to the Administrator. If the facility annual natural gas or hydrocarbon liquid throughput increases above the maximum natural gas or hydrocarbon liquid throughput calculated in paragraph (a)(1)(i)(A) or (a)(1)(i)(B) of this section, the maximum natural gas or hydrocarbon liquid throughput must be recalculated using the higher throughput multiplied by a factor of 1.2.

(iii) The owner or operator shall determine the maximum values for other parameters used to calculate emissions as the maximum for the period over

which the maximum natural gas or hydrocarbon liquid throughput is determined in accordance with paragraph (a)(1)(i)(A) or (B) of this section. Parameters shall be based on either highest measured values or annual average.

(2) Facilities that process, upgrade, or store hydrocarbon liquids prior to the point of custody transfer.

(3) Facilities that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. For the purposes of this subpart, natural gas enters the natural gas transmission and storage source category after the natural gas processing plant, when present. If no natural gas processing plant is present, natural gas enters the natural gas transmission and storage source category after the point of custody transfer.

(b) The affected sources for major sources are listed in paragraph (b)(1) of this section and for area sources in paragraph (b)(2) of this section.

(1) For major sources, the affected source shall comprise each emission point located at a facility that meets the criteria specified in paragraph (a) of this section and listed in paragraphs (b)(1)(i) through (b)(1)(iv) of this section.

(i) Each glycol dehydration unit;

(ii) Each storage vessel with the potential for flash emissions;

(iii) The group of all ancillary equipment, except compressors, intended to operate in volatile hazardous air pollutant service (as defined in § 63.761), which are located at natural gas processing plants; and

(iv) Compressors intended to operate in volatile hazardous air pollutant service (as defined in § 63.761), which are located at natural gas processing plants.

(2) For area sources, the affected source includes each triethylene glycol (TEG) dehydration unit located at a facility that meets the criteria specified in paragraph (a) of this section.

(c) [Reserved]

(d) The owner and operator of a facility that does not contain an affected source as specified in paragraph (b) of this section are not subject to the requirements of this subpart.

(e) *Exemptions.* The facilities listed in paragraphs (e)(1) and (e)(2) of this section are exempt from the requirements of this subpart. Records shall be maintained as required in § 63.10(b)(3).

(1) A facility that exclusively processes, stores, or transfers black oil (as defined in § 63.761) is not subject to the requirements of this subpart. For the purposes of this subpart, a black oil facility that uses natural gas for fuel or generates gas from black oil shall qualify for this exemption.

(2) A major source facility, prior to the point of custody transfer, with a facility-wide actual annual average natural gas throughput less than 18.4 thousand standard cubic meters per day and a facility-wide actual annual average hydrocarbon liquid throughput less than 39,700 liters per day.

(f) The owner or operator of an affected major source shall achieve compliance with the provisions of this subpart by the dates specified in paragraphs (f)(1) and (f)(2) of this section. The owner or operator of an affected area source shall achieve compliance with the provisions of this subpart by the dates specified in paragraphs (f)(3) through (f)(6) of this section.

(1) The owner or operator of an affected major source, the construction or reconstruction of which commenced before February 6, 1998, shall achieve compliance with the applicable provisions of this subpart no later than June 17, 2002, except as provided for in § 63.6(i). The owner or operator of an area source, the construction or reconstruction of which commenced before February 6, 1998, that increases its emissions of (or its potential to emit) HAP such that the source becomes a major source that is subject to this subpart shall comply with this subpart 3 years after becoming a major source.

(2) The owner or operator of an affected major source, the construction or reconstruction of which commences on or after February 6, 1998, shall achieve compliance with the applicable provisions of this subpart immediately upon initial startup or June 17, 1999, whichever date is later. Area sources, the construction or reconstruction of which commences on or after February 6, 1998, that become major sources shall comply with the provisions of this

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standard immediately upon becoming a major source.

(3) The owner or operator of an affected area source, located in an Urban-1 county, as defined in § 63.761, the construction or reconstruction of which commences before February 6, 1998, shall achieve compliance with the provisions of this subpart no later than the dates specified in paragraphs (f)(3)(i) or (ii) of this section, except as provided for in § 63.6(i).

(i) If the affected area source is located within any UA plus offset and UC boundary, as defined in § 63.761, the compliance date is January 4, 2010.

(ii) If the affected area source is not located within any UA plus offset and UC boundary, as defined in § 63.761, the compliance date is January 5, 2009.

(4) The owner or operator of an affected area source, located in an Urban-1 county, as defined in § 63.761, the construction or reconstruction of which commences on or after February 6, 1998, shall achieve compliance with the provisions of this subpart immediately upon initial startup or January 3, 2007, whichever date is later.

(5) The owner or operator of an affected area source that is not located in an Urban-1 county, as defined in § 63.761, the construction or reconstruction of which commences before July 8, 2005, shall achieve compliance with the provisions of this subpart no later than the dates specified in paragraphs (f)(5)(i) or (ii) of this section, except as provided for in § 3.6(i).

(i) If the affected area source is located within any UA plus offset and UC boundary, as defined in § 63.761, the compliance date is January 4, 2010.

(ii) If the affected area source is not located within any UA plus offset and UC boundary, as defined in § 63.761, the compliance date is January 5, 2009.

(6) The owner or operator of an affected area source that is not located in an Urban-1 county, as defined in § 63.761, the construction or reconstruction of which commences on or after July 8, 2005, shall achieve compliance with the provisions of this subpart immediately upon initial startup or January 3, 2007, whichever date is later.

(g) The following provides owners or operators of an affected source at a major source with information on over-

lap of this subpart with other regulations for equipment leaks. The owner or operator of an affected source at a major source shall document that they are complying with other regulations by keeping the records specified in § 63.774(b)(9).

(1) After the compliance dates specified in paragraph (f) of this section, ancillary equipment and compressors that are subject to this subpart and that are also subject to and controlled under the provisions of 40 CFR part 60, subpart KKK, are only required to comply with the requirements of 40 CFR part 60, subpart KKK.

(2) After the compliance dates specified in paragraph (f) of this section, ancillary equipment and compressors that are subject to this subpart and are also subject to and controlled under the provisions of 40 CFR part 61, subpart V, are only required to comply with the requirements of 40 CFR part 61, subpart V.

(3) After the compliance dates specified in paragraph (f) of this section, ancillary equipment and compressors that are subject to this subpart and are also subject to and controlled under the provisions of 40 CFR part 63, subpart H, are only required to comply with the requirements of 40 CFR part 63, subpart H.

(h) An owner or operator of an affected source that is a major source or is located at a major source and is subject to the provisions of this subpart is also subject to 40 CFR part 70 or part 71 operating permit requirements. Unless otherwise required by law, the owner or operator of an area source subject to the provisions of this subpart is exempt from the permitting requirements established by 40 CFR part 70 or 40 CFR part 71.

[64 FR 32628, June 17, 1999, as amended at 66 FR 34550, June 29, 2001; 72 FR 36, Jan. 3, 2007]

§ 63.761 Definitions.

All terms used in this subpart shall have the meaning given them in the Clean Air Act (Act), subpart A of this part (General Provisions), and in this section. If the same term is defined in subpart A and in this section, it shall have the meaning given in this section for purposes of this subpart.