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non-operation of the affected sources (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies. However, during the startup, shutdown, malfunction, or period of non-operation of one portion of an affected source, all emission points which can comply with the specific provisions to which they are subject must do so during the startup, shutdown, malfunction, or period of non-operation.

(b) The owner or operator shall not shut down items of equipment that are required or utilized for compliance with the provisions of this subpart during times when emissions are being routed to such items of equipment, if the shutdown would contravene requirements of this subpart applicable to such items of equipment. This paragraph does not apply if the item of equipment is malfunctioning, or if the owner or operator must shut down the equipment to avoid damage due to a contemporaneous startup, shutdown, or malfunction of the affected source or a portion thereof.

(c) During startups, shutdowns, and malfunctions when the requirements of this subpart do not apply pursuant to paragraphs (a) and (b) of this section, the owner or operator shall implement, to the extent reasonably available, measures to prevent or minimize excess emissions to the maximum extent practical. For purposes of this paragraph, the term "excess emissions" means emissions in excess of those that would have occurred if there were no startup, shutdown, or malfunction, and the owner or operator complied with the relevant provisions of this subpart. The measures to be taken shall be identified in the applicable startup, shutdown, and malfunction plan, and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the source. Back-up control devices are not required, but may be used if available.

(d) Except as provided in paragraph (e) of this section, the owner or operator shall prepare a startup, shutdown, or malfunction plan as required in § 63.6(e)(3), except that the plan is not required to be incorporated by ref-

erence into the source's title V permit as specified in § 63.6(e)(3)(i). Instead, the owner or operator shall keep the plan on record as required by § 63.6(e)(3)(v). The failure of the plan to adequately minimize emissions during the startup, shutdown, or malfunction does not shield an owner or operator from enforcement actions.

(e) Owners or operators are exempt from the requirements to prepare a startup, shutdown, or malfunction plan for any facility where all of the affected sources meet the exemption criteria specified in § 63.1274(d).

[64 FR 32648, June 17, 1999, as amended at 66 FR 34555, June 29, 2001]

§ 63.1273 [Reserved]

§ 63.1274 General standards.

(a) Table 2 of this subpart specifies the provisions of subpart A (General Provisions) that apply and those that do not apply to owners and operators of affected sources subject to this subpart.

(b) All reports required under this subpart shall be sent to the Administrator at the appropriate address listed in § 63.13. Reports may be submitted on electronic media.

(c) Except as specified in paragraph (d) of this section, the owner or operator of an affected source (i.e., glycol dehydration unit) located at an existing or new major source of HAP emissions shall comply with the requirements in this subpart as follows:

(1) The control requirements for glycol dehydration unit process vents specified in § 63.1275;

(2) The monitoring requirements specified in § 63.1283, and

(3) The recordkeeping and reporting requirements specified in §§ 63.1284 and 63.1285.

(d) *Exemptions.* The owner or operator is exempt from the requirements of paragraph (c) of this section if the criteria listed in paragraph (d)(1) or (2) of this section are met, except that the records of the determination of these criteria must be maintained as required in § 63.1284(d).

(1) The actual annual average flow of gas to the glycol dehydration unit is less than 283.0 thousand standard cubic

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meters per day, as determined by the procedures specified in § 63.1282(a)(1); or

(2) The actual average emissions of benzene from the glycol dehydration unit process vents to the atmosphere are less than 0.90 megagram per year as determined by the procedures specified in § 63.1282(a)(2) of this subpart.

(e) Each owner or operator of a major HAP source subject to this subpart is required to apply for a part 70 or part 71 operating permit from the appropriate permitting authority. If the Administrator has approved a State operating permit program under part 70, the permit shall be obtained from the State authority. If a State operating permit program has not been approved, the owner or operator shall apply to the EPA Regional Office pursuant to part 71.

(f) [Reserved]

(g) In all cases where the provisions of this subpart require an owner or operator to repair leaks by a specified time after the leak is detected, it is a violation of this standard to fail to take action to repair the leak(s) within the specified time. If action is taken to repair the leak(s) within the specified time, failure of that action to successfully repair the leak(s) is not a violation of this standard. However, if the repairs are unsuccessful, a leak is detected and the owner or operator shall take further action as required by the applicable provisions of this subpart.

[64 FR 32648, June 17, 1999, as amended at 66 FR 34556, June 29, 2001]

§ 63.1275 Glycol dehydration unit process vent standards.

(a) This section applies to each glycol dehydration unit subject to this subpart with an actual annual average natural gas flowrate equal to or greater than 283.0 thousand standard cubic meters per day and with actual average benzene glycol dehydration unit process vent emissions equal to or greater than 0.90 megagrams per year.

(b) Except as provided in paragraph (c) of this section, an owner or operator of a glycol dehydration unit process vent shall comply with the requirements specified in paragraphs (b)(1) and (b)(2) of this section.

(1) For each glycol dehydration unit process vent, the owner or operator

shall control air emissions by either paragraph (b)(1)(i) or (b)(1)(ii) of this section.

(i) The owner or operator shall connect the process vent to a control device or a combination of control devices through a closed-vent system. The closed-vent system shall be designed and operated in accordance with the requirements of § 63.1281(c). The control device(s) shall be designed and operated in accordance with the requirements of § 63.1281(d).

(ii) The owner or operator shall connect the process vent to a control device or a combination of control devices through a closed-vent system and the outlet benzene emissions from the control device(s) shall be less than 0.90 megagrams per year. The closed-vent system shall be designed and operated in accordance with the requirements of § 63.1281(c). The control device(s) shall be designed and operated in accordance with the requirements of § 63.1281(d), except that the performance requirements specified in § 63.1281(d)(1)(i) and (ii) do not apply.

(2) One or more safety devices that vent directly to the atmosphere may be used on the air emission control equipment installed to comply with paragraph (b)(1) of this section.

(c) As an alternative to the requirements of paragraph (b) of this section, the owner or operator may comply with one of the following:

(1) The owner or operator shall control air emissions by connecting the process vent to a process natural gas line.

(2) The owner or operator shall demonstrate, to the Administrator's satisfaction, that the total HAP emissions to the atmosphere from the glycol dehydration unit process vent are reduced by 95.0 percent through process modifications or a combination of process modifications and one or more control devices, in accordance with the requirements specified in § 63.1281(e).

(3) Control of HAP emissions from a GCG separator (flash tank) vent is not required if the owner or operator demonstrates, to the Administrator's satisfaction, that total emissions to the atmosphere from the glycol dehydration unit process vent are reduced by one of the levels specified in paragraph