

- (iv) Water from safety showers;
- (v) Water from testing of deluge systems; and
- (vi) Water from testing of fire-fighting systems.

*Wastewater stream* means a stream that contains wastewater as defined in this section.

[65 FR 3290, Jan. 20, 2000, as amended at 71 FR 20460, Apr. 20, 2006]

#### § 63.1403 Emission standards.

(a) *Provisions of this subpart.* Except as allowed under paragraph (b) of this section, the owner or operator of an affected source shall comply with the provisions of §§ 63.1404 through 63.1410, as appropriate. When emissions are vented to a control device or control technology as part of complying with this subpart, emissions shall be vented through a closed vent system meeting the requirements of 40 CFR part 63, subpart SS (national emission standards for closed vent systems, control devices, recovery devices).

(b) *Combined emission streams.* When emissions of different kinds (*e.g.*, emissions from continuous process vents, storage vessels, etc.) are combined at a new affected source, and at least one of the emission streams would be required by this subpart to apply controls in the absence of combination with other emission streams, the owner or operator shall comply with the requirements of paragraph (b)(1) or (2) of this section, as appropriate.

(1) For any combined vent stream that includes one or more aggregate batch vent streams, comply with the provisions for aggregate batch vent streams.

(2) For any combined vent stream that does not include one or more aggregate batch vent streams:

(i) Reactor batch process vents and non-reactor batch process vents shall comply with the provisions for reactor batch process vents and non-reactor batch process vents, as appropriate.

(ii) The remaining emissions (*i.e.*, storage vessel and/or continuous process vent emissions) included in the combined vent stream shall comply the provisions for storage vessels when storage vessel emissions are included and shall comply with the provisions for continuous process vents in the ab-

sence of storage vessel emissions (*i.e.*, when only continuous process vents are included).

(c) *Compliance for flexible operations process units.* With the exceptions specified in paragraphs (c)(1) and (2) of this section, owners or operators of APPUs that are flexible operations process units shall comply with the provisions of this subpart at all times, regardless of the product being manufactured. Once it has been determined that an emission point requires control during manufacture of amino/phenolic resins, that emission point shall be controlled at all times regardless of the product being manufactured.

(1) When a flexible operations process unit is manufacturing a product in which no organic HAP are used or manufactured, the owner or operator is not required to comply with the provisions of this subpart or with the provisions of subpart A of this part during manufacture of that product. When requested by the Administrator, the owner or operator shall demonstrate that no organic HAP are used or manufactured.

(2) When a flexible operations process unit is manufacturing a product subject to subpart GGG of this part, the owner or operator is not required to comply with the provisions of this subpart during manufacture of that product (*i.e.*, a pharmaceutical).

#### § 63.1404 Storage vessel provisions.

(a) *Emission standards.* For each storage vessel located at a new affected source that has a capacity of 50,000 gallons or greater and vapor pressure of 2.45 pounds per square inch absolute (psia) or greater or has a capacity of 90,000 gallons or greater and vapor pressure of 0.15 psia or greater, the owner or operator shall comply with either paragraph (a) (1) or (2) of this section. As an alternative to complying with paragraph (a) of this section, an owner or operator may comply with paragraph (b) of this section.

(1) Reduce emissions of total organic HAP by 95 weight-percent. Control shall be achieved by venting emissions through a closed vent system to any combination of control devices meeting the requirements of 40 CFR part 63,

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subpart SS (national emission standards for closed vent systems, control devices, recovery devices). When complying with the requirements of 40 CFR part 63, subpart SS, the following apply for purposes of this subpart:

(i) Design evaluations are allowed for control devices that control emission points with total emissions less than 10 tons of organic HAP per year before control (i.e., small control devices).

(ii) When 40 CFR part 63, subpart SS refers to specific test methods for the measurement of organic HAP concentration, the test methods presented in § 63.1414(a) shall be used.

(iii) The option to measure TOC instead of organic HAP, as a basis for demonstrating compliance, is not allowed.

(iv) Excused excursions are not allowed.

(v) The provisions in § 63.1403(b), rather than the provisions in § 63.982(f), are to be followed for combined vent streams.

(vi) When a scrubber is used as a control device, the owner or operator shall follow the guidance provided in this subpart for design evaluations or performance tests, as appropriate, and for monitoring, recordkeeping, and reporting.

(vii) When there are conflicts between the due dates for reports presented in 40 CFR part 63, subpart SS and this subpart, reports shall be submitted according to the due dates presented in this subpart.

(viii) When there are conflicts between the recordkeeping and reporting requirements presented in 40 CFR part 63, subpart SS and this subpart, the owner or operator shall either follow both sets of requirements (i.e., follow the requirements in 40 CFR part 63, subpart SS for emission points covered by 40 CFR part 63, subpart SS and follow the requirements of this subpart for emission points covered by this subpart) or shall follow the set of requirements they prefer. If an owner or operator chooses to follow just one set of requirements, the owner or operator shall identify which set of requirements are being followed and which set of requirements are being disregarded in the appropriate report.

(2) Comply with the requirements of 40 CFR part 63, subpart WW (national emission standards for storage vessels (control level 2)). When complying with the requirements of 40 CFR part 63, subpart WW, the following apply for purposes of this subpart:

(i) When there are conflicts between the due dates for reports presented in 40 CFR part 63, subpart WW and this subpart, reports shall be submitted according to the due dates presented in this subpart.

(ii) When there are conflicts between the recordkeeping and reporting requirements presented in 40 CFR part 63, subpart WW and this subpart, the owner or operator shall either follow both sets of requirements (i.e., follow the requirements in 40 CFR part 63, subpart WW for emission points covered by 40 CFR part 63, subpart WW and follow the requirements of this subpart for emission points covered by this subpart) or shall follow the set of requirements they prefer. If an owner or operator chooses to follow just one set of requirements, the owner or operator shall identify which set of requirements are being followed and which set of requirements are being disregarded in the appropriate report.

(b) *Alternative standard.* Vent all organic HAP emissions from a storage vessel meeting either of the capacity and vapor pressure criteria specified in paragraph (a) of this section to a combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any storage vessels that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraph (a)(1) or (2) of this section.

**§ 63.1405 Continuous process vent provisions.**

(a) *Emission standards.* For each continuous process vent located at a new affected source with a Total Resource Effectiveness (TRE) index value, as determined following the procedures specified in § 63.1412(j), less than or equal to 1.2, the owner or operator shall comply with either paragraph