

(ii) After the compliance dates specified in § 63.1102 for an affected source subject to this subpart, a wastewater stream that is subject to control requirements in the Benzene Waste NESHAP (subpart FF of part 61 of this chapter) and this subpart is required to comply with both rules.

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§ 63.1101 Definitions.

All terms used in this subpart shall have the meaning given them in the Act, in 40 CFR 63.2 (General Provisions), and in this section.

Annual average concentration, as used in the wastewater provisions, means the flow-weighted annual average concentration, as determined according to the procedures specified in § 63.144(b).

Annual average flow rate, as used in the wastewater provisions, means the annual average flow rate, as determined according to the procedures specified in § 63.144(c).

Batch cycle refers to manufacturing a product from start to finish in a batch unit operation.

Batch emission episode means a discrete venting episode that may be associated with a single unit operation. A unit operation may have more than one batch emission episode per batch cycle. For example, a displacement of vapor resulting from the charging of a vessel with organic HAP will result in a discrete emission episode. If the vessel is then heated, there may also be another discrete emission episode resulting from the expulsion of expanded vapor. Both emission episodes may occur during the same batch cycle in the same vessel or unit operation. There are possibly other emission episodes that may occur from the vessel or other process equipment, depending on process operations.

Batch unit operation means a unit operation involving intermittent or discontinuous feed into equipment and, in general, involves the emptying of equipment after the batch cycle ceases and prior to beginning a new batch cycle. Mass, temperature, concentration and other properties of the process may vary with time. Addition of raw material and withdrawal of product do

not simultaneously occur in a batch unit operation.

Bottoms receiver means a tank that collects distillation bottoms before the stream is sent for storage or for further downstream processing.

By compound means by individual stream components, not carbon equivalents.

Capacity means the volume of liquid that is capable of being stored in a storage vessel, determined by multiplying the vessel's internal cross-sectional area by the internal height of the shell.

Closed vent system means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission point to a control device. A closed vent system does not include the vapor collection system that is part of any tank truck or railcar or the loading arm or hose that is used for vapor return. For transfer racks, the closed vent system begins at, and includes, the first block valve on the downstream side of the loading arm or hose used to convey displaced vapors.

Combined vent stream means a combination of emission streams from continuous and/or batch unit operations.

Compliance equipment means monitoring equipment used by an owner or operator of an affected source under this subpart to demonstrate compliance with an operation or emission limit standard.

Continuous parameter monitoring system or *CPMS* means the total equipment that may be required to meet the data acquisition and availability requirements of this subpart, and that is used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Continuous unit operation means a unit operation where the inputs and outputs flow continuously. Continuous unit operations typically approach steady-state conditions. Continuous unit operations typically involve the simultaneous addition of raw material and withdrawal of the product.

Control device means, with the exceptions noted below, a combustion device, recovery device, recapture device, or any combination of these devices

used to comply with this subpart or a referencing subpart. For process vents from continuous unit operations at affected sources in source categories where the applicability criteria includes a TRE index value, recovery devices are not considered to be control devices. Primary condensers on steam strippers or fuel gas systems are not considered to be control devices.

Day means a calendar day.

Distillate receiver means overhead receivers, overhead accumulators, reflux drums, and condenser(s) including ejector condenser(s) associated with a distillation unit.

Distillation unit means a device or vessel in which one or more feed streams are separated into two or more exit streams, each exit stream having component concentrations different from those in the feed stream(s). The separation is achieved by the redistribution of the components between the liquid and the vapor phases by vaporization and condensation as they approach equilibrium within the distillation unit. Distillation unit includes the distillate receiver, reboiler, and any associated vacuum pump or steam jet.

Emission point means an individual process vent, storage vessel, transfer rack, wastewater stream, kiln, fiber spinning line, equipment leak, or other point where a gaseous stream is released.

Equipment means each of the following that is subject to control under this subpart: pump, compressor, agitator, pressure relief device, sampling collection system, open-ended valve or line, valve, connector, instrumentation system, and surge control vessel and bottoms in organic hazardous air pollutant service as defined in §63.1103 for the applicable chemical manufacturing production unit; and any control device or system used to comply with this subpart.

Equivalent method means any method of sampling and analysis for an air pollutant that has been demonstrated to the Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

Excess emissions means emissions in excess of those that would have oc-

curred if there were no start-up, shut-down, or malfunction and the owner or operator complied with the relevant provisions of this subpart.

Final recovery device means the last recovery device on a process vent stream from a continuous unit operation at an affected source in a source category where the applicability criteria includes a TRE index value. The final recovery device usually discharges to a combustion device, recapture device, or directly to the atmosphere.

Flexible operation unit means a process unit that manufactures different chemical products periodically by alternating raw materials or operating conditions.

Fuel gas means gases that are combusted to derive useful work or heat.

Fuel gas system means the offsite and onsite piping and flow and pressure control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as a fuel gas in combustion devices or in-process combustion equipment, such as furnaces and gas turbines, either singly or in combination.

Group 1 wastewater stream means a process wastewater stream at an existing or new source that meets the criteria for Group 1 status in §63.132(c).

Group 2 wastewater stream means a process wastewater stream that does not meet the definition of a Group 1 wastewater stream.

Halogens and hydrogen halides means hydrogen chloride (HCl), chlorine (Cl₂), hydrogen bromide (HBr), bromine (Br₂), and hydrogen fluoride (HF).

Impurity means a substance that is produced coincidentally with the primary product, or is present in a raw material. An impurity does not serve a useful purpose in the production or use of the primary product and is not isolated.

Initial startup means, for new sources, the first time the source begins production. For additions or changes not defined as a new source by this subpart, initial startup means the first time additional or changed equipment is put into operation. Initial startup does not include operation solely for testing

equipment. Initial startup does not include subsequent startup (as defined in this section) of process units following malfunctions or process unit shutdowns. Except for equipment leaks, initial startup also does not include subsequent startups (as defined in this section) of process units following changes in product for flexible operation units or following recharging of equipment in batch unit operations.

Low throughput transfer rack means a transfer rack that transfers less than a total of 11.8 million liters per year of liquid containing regulated HAP.

Maintenance wastewater means wastewater generated by the draining of process fluid from components in the process unit, whose primary product is a product produced by a source category subject to this subpart, into an individual drain system prior to or during maintenance activities. Maintenance wastewater can be generated during planned and unplanned shutdowns and during periods not associated with a shutdown. Examples of activities that can generate maintenance wastewaters include descaling of heat exchanger tubing bundles, cleaning of distillation column traps, draining of low legs and high point bleeds, draining of pumps into an individual drain system, and draining of portions of the process unit, whose primary product is a product produced by a source category subject to this subpart, for repair.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Maximum true vapor pressure means the equilibrium partial pressure exerted by the total organic HAP in the stored or transferred liquid at the temperature equal to the highest calendar-month average of the liquid storage or transfer temperature for liquids stored or transferred above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for liquids stored or transferred at

the ambient temperature, as determined:

(1) In accordance with methods described in American Petroleum Institute Publication 2517, Evaporation Loss From External Floating-Roof Tanks (incorporated by reference as specified in §63.14 of subpart A of this part); or

(2) As obtained from standard reference texts; or

(3) As determined by the American Society for Testing and Materials Method D2879-83 (incorporated by reference as specified in §63.14 of subpart A of this part); or

(4) Any other method approved by the Administrator.

Oil-water separator or *organic-water separator* means a waste management unit, generally a tank used to separate oil or organics from water. An oil-water or organic-water separator consists of not only the separation unit but also the forebay and other separator basins, skimmers, weirs, grit chambers, sludge hoppers, and bar screens that are located directly after the individual drain system and prior to additional waste management units such as an air flotation unit, clarifier, or biological treatment unit. Examples of an oil-water or organic-water separator include, but are not limited to, an American Petroleum Institute separator, parallel-plate interceptor, and corrugated-plate interceptor with the associated ancillary equipment.

On-site means, with respect to records required to be maintained by this subpart, a location within a plant site that encompasses the affected source. On-site includes, but is not limited to, the affected source to which the records pertain, or central files elsewhere at the plant site.

Organic hazardous air pollutant or *organic HAP* means any organic chemicals that are also HAP.

Permitting authority means one of the following:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs

under title V of the Act (42 U.S.C. 7661) and part 71 of this chapter.

Plant site means all contiguous or adjoining property that is under common control, including properties that are separated only by a road or other public right-of-way. Common control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination thereof.

Point of determination means each point where process wastewater exits the process unit, whose primary product is a product produced by a source category subject to this subpart.

NOTE TO DEFINITION FOR POINT OF DETERMINATION: The regulation allows determination of the characteristics of a wastewater stream at the point of determination or downstream of the point of determination if corrections are made for changes in flow rate and annual average concentration of Table 9 compounds (as defined under this subpart) as determined in §63.144. Such changes include losses by air emissions, reduction of annual average concentration or changes in flow rate by mixing with other water or wastewater streams, and reduction in flow rate or annual average concentration by treating or otherwise handling the wastewater stream to remove or destroy hazardous air pollutants.

Process condenser means a condenser whose primary purpose is to recover material as an integral part of a process. The condenser must support a vapor-to-liquid phase change for periods of source equipment operation that are above the boiling or bubble point of substance(s). Examples of process condensers include distillation condensers, reflux condensers, process condensers in line prior to the vacuum source, and process condensers used in stripping or flashing operations.

Process unit means the equipment assembled and connected by pipes or ducts to process raw and/or intermediate materials and to manufacture an intended product. A process unit includes more than one unit operation. A process unit includes, but is not limited to, process vents, storage vessels, and equipment.

Process unit shutdown means a work practice or operational procedure that stops production from a process unit, or part of a process unit during which practice or procedure it is technically feasible to clear process material from

the process unit, or part of the process unit, consistent with safety constraints and during which repairs can be effected. The following are not considered process unit shutdowns:

(1) An unscheduled work practice or operational procedure that stops production from a process unit, or part of a process unit, for less than 24 hours.

(2) An unscheduled work practice or operational procedure that would stop production from a process unit, or part of a process unit, for a shorter period of time than would be required to clear the process unit, or part of the process unit, of materials and start up the unit and result in greater emissions than delay of repair of leaking components until the next scheduled process unit shutdown.

(3) The use of spare equipment and technically feasible bypassing of equipment without stopping production.

Process vent means a piece of equipment that processes a gas stream (both batch and continuous streams) during operation of the unit within a manufacturing process unit that meets the applicability criteria of this subpart. Process vents process gas streams that are either discharged directly to the atmosphere or are discharged to the atmosphere after diversion through a product recovery device. Process vents include vents from distillate receivers, product separators, and ejector-condensers. Process vents exclude relief valve discharges and leaks from equipment regulated under this subpart. Process vents that process gas streams containing less than or equal to 0.005 weight-percent organic HAP are not subject to the process vent requirements of this subpart.

Process wastewater means wastewater which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product. Examples are product tank drawdown or feed tank drawdown, water formed during a chemical reaction or used as a reactant, water used to wash impurities from organic products or reactants, equipment washes between batches in a batch process, water used to cool or quench organic vapor streams through direct contact,

and condensed steam from jet ejector systems pulling vacuum on vessels containing organics.

Process wastewater stream means a stream that contains process wastewater.

Product means a compound or chemical which is manufactured as the intended product of the applicable production process unit as defined in § 63.1103. By-products, isolated intermediates, impurities, wastes, and trace contaminants are not considered products.

Recapture device means an individual unit of equipment capable of and used for the purpose of recovering chemicals, but not normally for use, reuse, or sale. For example, a recapture device may recover chemicals primarily for disposal. Recapture devices include, but are not limited to, absorbers, carbon adsorbers, and condensers. For purposes of the monitoring, recordkeeping, and reporting requirements of this subpart, recapture devices are considered recovery devices.

Recovery device means an individual unit of equipment capable of and normally used for the purpose of recovering chemicals for fuel value (i.e., net positive heating value), use, reuse, or for sale for fuel value. Examples of equipment that may be recovery devices include absorbers, carbon adsorbers, condensers, oil-water separators or organic-water separators, or organic removal devices such as decanters, strippers, or thin-film evaporation units. For purposes of the monitoring, recordkeeping, and reporting requirements of this subpart, recapture devices are considered recovery devices.

Research and development facility means laboratory and pilot plant operations whose primary purpose is to conduct research and development into new processes and products, where the operations are under the close supervision of technically trained personnel, and is not engaged in the manufacture of products for commercial sale, except in a de minimis manner.

Shutdown means the cessation of operation of a regulated source and equipment required or used to comply with this subpart, or the emptying and degassing of a storage vessel. Shut-

down is defined here for purposes of including, but not limited to, periodic maintenance, replacement of equipment, or repair. Shutdown does not include the routine rinsing or washing of equipment in batch operation between batches.

Startup means the setting into operation of a regulated source and/or equipment required or used to comply with this subpart. Startup includes initial startup, operation solely for testing equipment, the recharging of equipment in batch operation, and transitional conditions due to changes in product for flexible operation units.

Storage vessel or *Tank*, for the purposes of this subpart, means a stationary unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) that provide structural support and is designed to hold an accumulation of liquids or other materials. Storage vessel does not include:

- (1) Vessels permanently attached to motor vehicles such as trucks, railcars, barges, or ships;
- (2) Bottoms receiver tanks;
- (3) Surge control vessels; or
- (4) Vessels storing wastewater.

Subsequent startup means any setting into operation of a regulated source and/or equipment required or used to comply with this subpart following the initial startup.

Surge control vessel means a feed drum, recycle drum, or intermediate vessel. Surge control vessels are used within a process unit (as defined in this subpart) when in-process storage, mixing, or management of flow rates or volumes is needed to assist in production of a product.

Table 9 compounds means compounds listed in Table 9 of subpart G of this part.

Total organic compounds or *TOC* means those compounds, excluding methane and ethane, measured according to the procedures of Method 18 or Method 25A of appendix A of part 60.

Total resource effectiveness index value or *TRE index value* means a measure of the supplemental total resource requirement per unit reduction of organic HAP associated with a process vent stream, based on vent stream flow rate, emission rate of organic HAP, net

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heating value, and corrosion properties (whether or not the vent stream contains halogenated compounds), as quantified by the equations given under § 63.1104(j).

Transfer rack means a single system used to fill bulk cargo tanks mounted on or in a truck or railcar. A transfer rack includes all loading arms, pumps, meters, shutoff valves, relief valves, and other piping and equipment necessary for the transfer operation. Transfer equipment and operations that are physically separate (i.e., do not share common piping, valves, and other equipment) are considered to be separate transfer racks.

Unit operation means distinct equipment used in processing, among other things, to prepare reactants, facilitate reactions, separate and purify products, and recycle materials. Equipment used for these purposes includes, but is not limited to, reactors, distillation columns, extraction columns, absorbers, decanters, dryers, condensers, and filtration equipment.

Vapor balancing system means a piping system that is designed to collect organic HAP vapors displaced from tank trucks or railcars during loading; and to route the collected organic HAP vapors to the storage vessel from which the liquid being loaded originated, or to compress collected organic HAP vapors and commingle with the raw feed of a production process unit.

Wastewater is either a process wastewater or a maintenance wastewater and means water that:

(1) Contains either:

(i) An annual average concentration of Table 9 compounds (as defined under this subpart) of at least 5 parts per million by weight at the point of determination and has an annual average flow rate of 0.02 liter per minute or greater, or

(ii) An annual average concentration of Table 9 compounds (as defined under this subpart) of at least 10,000 parts per million by weight at the point of determination at any flow rate, and that

(2) Is discarded from a process unit, whose primary product is a product produced by a source category subject to this subpart.

Wastewater stream means a stream that contains wastewater.

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§ 63.1102 Compliance schedule.

(a) *General requirements.* Affected sources, as defined in § 63.1103(a)(1)(i) for acetyl resins production; § 63.1103(b)(1)(i) for acrylic and modacrylic fiber production; § 63.1103(c)(1)(i) for hydrogen fluoride production; or § 63.1103(d)(1)(i) for polycarbonate production, shall comply with the appropriate provisions of this subpart and the subparts referenced by this subpart according to the schedule described in paragraph (a)(1) or (2) of this section, as appropriate.

(1) *Compliance dates for new and reconstructed sources.* (i) The owner or operator of a new or reconstructed affected source for which construction or reconstruction commences after October 14, 1998 that has an initial startup before the effective date of standards for an acetal resins, acrylic and modacrylic fiber, hydrogen fluoride, or polycarbonate production affected source under this subpart shall comply with this subpart no later than the effective date of standards for the affected source.

(ii) The owner or operator of a new or reconstructed acetal resins, acrylic and modacrylic fiber, hydrogen fluoride, or polycarbonate production affected source that has an initial startup after the effective date of standards for the affected source shall comply with this subpart upon startup of the source.

(iii) The owner or operator of an acetal resins, acrylic and modacrylic fiber, hydrogen fluoride, or polycarbonate production affected source for which construction or reconstruction is commenced after October 14, 1998 but before the effective date of standards for the affected source under this subpart shall comply with this subpart no later than July 1, 2002 if:

(A) The promulgated standard is more stringent than the proposed standard; and

(B) The owner or operator complies with this subpart as proposed during the 3-year period immediately after the