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with water (e.g., flooded sewers that maintain water levels adequate to prevent air flow through the system) that creates a water barrier between the sewer line and the atmosphere. The water level of the seal must be maintained in the vertical leg of a drain in order to be considered a water seal.

[59 FR 19468, Apr. 22, 1994, as amended at 60 FR 18024, 18029, Apr. 10, 1995; 60 FR 63626, Dec. 12, 1995; 62 FR 2742, Jan. 17, 1997; 63 FR 67792, Dec. 9, 1998; 65 FR 62215, Oct. 17, 2000; 66 FR 6929, Jan. 22, 2001]

§ 63.112 Emission standard.

(a) The owner or operator of an existing source subject to the requirements of this subpart shall control emissions of organic HAP's to the level represented by the following equation:

$$E_A = 0.02\sum EPV_1 + \sum EPV_2 + 0.05\sum ES_1 + \sum ES_2 + 0.02\sum ETR_1 + \sum ETR_2 + \sum EWW_{1C} + \sum EWW_2$$

where:

E_A = Emission rate, megagrams per year, allowed for the source.

$0.02\sum EPV_1$ = Sum of the residual emissions, megagrams per year, from all Group 1 process vents, as defined in § 63.111 of this subpart.

$\sum EPV_2$ = Sum of the emissions, megagrams per year, from all Group 2 process vents as defined in § 63.111 of this subpart.

$0.05\sum ES_1$ = Sum of the residual emissions, megagrams per year, from all Group 1 storage vessels, as defined in § 63.111 of this subpart.

$\sum ES_2$ = Sum of the emissions, megagrams per year, from all Group 2 storage vessels, as defined in § 63.111 of this subpart.

$0.02\sum ETR_1$ = Sum of the residual emissions, megagrams per year, from all Group 1 transfer racks, as defined in § 63.111 of this subpart.

$\sum ETR_2$ = Sum of the emissions, megagrams per year, from all Group 2 transfer racks, as defined in § 63.111 of this subpart.

$\sum EWW_{1C}$ = Sum of the residual emissions from all Group 1 wastewater streams, as defined in § 63.111 of this subpart. This term is calculated for each Group 1 stream according to the equation for EWW_{1C} in § 63.150(g)(5)(i) of this subpart.

$\sum EWW_2$ = Sum of emissions from all Group 2 wastewater streams, as defined in § 63.111 of this subpart.

The emissions level represented by this equation is dependent on the collection of emission points in the source. The level is not fixed and can change as the emissions from each emission point

change or as the number of emission points in the source changes.

(b) The owner or operator of a new source subject to the requirements of this subpart shall control emissions of organic HAP's to the level represented by the equation in paragraph (a) of this section.

(c) The owner or operator of an existing source shall demonstrate compliance with the emission standard in paragraph (a) of this section by following the procedures specified in paragraph (e) of this section for all emission points, or by following the emissions averaging compliance approach specified in paragraph (f) of this section for some emission points and the procedures specified in paragraph (e) of this section for all other emission points within the source.

(d) The owner or operator of a new source shall demonstrate compliance with the emission standard in paragraph (b) of this section only by following the procedures in paragraph (e) of this section. The owner or operator of a new source may not use the emissions averaging compliance approach.

(e) The owner or operator of an existing or new source may comply with the process vent provisions in §§ 63.113 through 63.118 of this subpart, the storage vessel provisions in §§ 63.119 through 63.123 of this subpart, the transfer operation provisions in §§ 63.126 through 63.130 of this subpart, the wastewater provisions in §§ 63.131 through 63.147 of this subpart, the leak inspection provisions in § 63.148, and the provisions in § 63.149 of this subpart.

(1) The owner or operator using this compliance approach shall also comply with the requirements of § 63.151 and § 63.152 of this subpart, as applicable.

(2) The owner or operator using this compliance approach is not required to calculate the annual emission rate specified in paragraph (a) of this section.

(3) When emissions of different kinds (e.g., emissions from process vents, transfer operations, storage vessels, process wastewater, and/or in-process equipment subject to § 63.149 of this subpart) are combined, and at least one

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of the emission streams would be classified as Group 1 in the absence of combination with other emission streams, the owner or operator shall comply with the requirements of either paragraph (e)(3)(i) or paragraph (e)(3)(ii) of this section.

(i) Comply with the applicable requirements of this subpart for each kind of emissions in the stream (e.g., the requirements in §§63.113 through 63.118 of this subpart G for process vents, and the requirements of §§63.126 through 63.130 for transfer operations); or

(ii) Comply with the first set of requirements identified in paragraphs (e)(3)(ii)(A) through (e)(3)(ii)(E) of this section which applies to any individual emission stream that is included in the combined stream, where either that emission stream would be classified as Group 1 in the absence of combination with other emission streams, or the owner chooses to consider that emission stream to be Group 1 for purposes of this paragraph. Compliance with the first applicable set of requirements identified in paragraphs (e)(3)(ii)(A) through (e)(3)(ii)(E) of this section constitutes compliance with all other requirements in paragraphs (e)(3)(ii)(A) through (e)(3)(ii)(E) of this section applicable to other types of emissions in the combined stream.

(A) The requirements of this subpart for Group 1 process vents, including applicable monitoring, recordkeeping, and reporting;

(B) The requirements of this subpart for Group 1 transfer racks, including applicable monitoring, recordkeeping, and reporting;

(C) The requirements of §63.119(e) for control of emissions from Group 1 storage vessels, including monitoring, recordkeeping, and reporting;

(D) The requirements of §63.139 for control devices used to control emissions from waste management units, including applicable monitoring, recordkeeping, and reporting; or

(E) The requirements of §63.139 for closed vent systems for control of emissions from in-process equipment subject to §63.149, including applicable monitoring, recordkeeping, and reporting.

(f) The owner or operator of an existing source may elect to control some of the emission points within the source to different levels than specified under §§63.113 through 63.148 of this subpart by using an emissions averaging compliance approach as long as the overall emissions for the source do not exceed the emission level specified in paragraph (a) of this section. The owner or operator using emissions averaging must meet the requirements in paragraphs (f)(1) and (f)(2) of this section.

(1) Calculate emission debits and credits for those emission points involved in the emissions average as specified in §63.150 of this subpart; and

(2) Comply with the requirements of §63.151 and §63.152 of this subpart, as applicable.

(g) A State may restrict the owner or operator of an existing source to using only the procedures in paragraph (e) of this section to comply with the emission standard in paragraph (a) of this section.

(h) Where the provisions of this subpart require a performance test, waiver of that requirement shall be addressed only as provided in §63.103(b)(5) of subpart F of this part.

[59 FR 19468, Apr. 22, 1994, as amended at 62 FR 2744, Jan. 17, 1997]

§ 63.113 Process vent provisions—reference control technology.

(a) The owner or operator of a Group 1 process vent as defined in this subpart shall comply with the requirements of paragraph (a)(1), (2), or (3) of this section. The owner or operator who transfers a gas stream that has the characteristics specified in §63.107 (b) through (h) or meets the criteria specified in §63.107(i) to an off-site location or an on-site location not owned or operated by the owner or operator of the source for disposal shall comply with the requirements of paragraph (i) of this section.

(1) Reduce emissions of organic HAP using a flare.

(i) The flare shall comply with the requirements of §63.11(b) of subpart A of this part.

(ii) Halogenated vent streams, as defined in §63.111 of this subpart, shall not be vented to a flare.