

device(s) for which the owner or operator has selected not to follow the procedures for continuous monitoring specified in §63.1438, the monitoring plan shall include a description of the parameter(s) to be monitored to ensure that the combustion, recovery, or recapture device is being properly operated and maintained, an explanation of the criteria used for selection of that parameter(s), and the frequency with which monitoring will be performed (e.g., when the liquid level in the storage vessel is being raised), as specified in §63.120(d)(2)(i).

(j) For purposes of this subpart, the monitoring plan required by §63.122(b) shall be included in the Notification of Compliance Status required by §63.1439(e)(5).

(k) When the HON Notification of Compliance Status requirements contained in §63.152(b) are referred to in §§63.120, 63.122, and 63.123, the Notification of Compliance Status requirements contained in §63.1439(e)(5) shall apply for the purposes of this subpart.

(l) When the HON Periodic Report requirements contained in §63.152(c) are referred to in §§63.120 and 63.122, the Periodic Report requirements contained in §63.1439(e)(6) shall apply for the purposes of this subpart.

(m) When other reports as required in §63.152(d) are referred to in §63.122, the reporting requirements contained in §63.1439(e)(7) shall apply for the purposes of this subpart.

(n) When the HON Initial Notification requirements contained in §63.151(b) are referred to in §63.119 through §63.123, the owner or operator shall comply with the Initial Notification requirements contained in §63.1439(e)(3), for the purposes of this subpart.

(o) When the determination of equivalence criteria in §63.102(b) are referred to in the HON storage vessel requirements in §63.121(a), the General Provisions' alternative nonopacity emission provisions in §63.6(g) shall apply for the purposes of this subpart.

(p) The compliance date for storage vessels at affected sources subject to the provisions of this section is specified in §63.1422.

(q) In addition to the records required by §63.123, the owner or operator

of each storage vessel that is complying with §63.119(e) and that has an applicable monitoring plan in accordance with §63.120(d)(2) that does not specify continuous monitoring, shall maintain records of all times when the storage tank is being filled (i.e., when the liquid level in the storage vessel is being raised). These records shall consist of documentation of the time when each filling period begins and ends.

[64 FR 29439, June 1, 1999, as amended at 65 FR 26501, May 8, 2000]

EFFECTIVE DATE NOTE: At 65 FR 26501, May 8, 2000, §63.1432 was amended by revising paragraphs (h), (l), and (q), effective July 7, 2000. For the convenience of the user, the superseded text is set forth as follows:

§ 63.1432 Storage vessel provisions.

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(h) When the HON storage vessel requirements in §63.120(d)(3)(i) uses the term "operating range," the term "level," shall apply instead, for the purposes of this subpart.

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(l) When the HON Periodic Report requirements contained in §63.152(c) are referred to in §§63.120, 63.122, and 63.123, the Periodic Report requirements contained in §63.1439(e)(6) shall apply for the purposes of this subpart.

* * * * *

(q) In addition to the records required by §63.123, the owner or operator shall maintain records of all times when the storage tank is being filled (i.e., when the liquid level in the storage vessel is being raised). These records shall consist of documentation of the time when each filling period begins and ends.

§ 63.1433 Wastewater provisions.

(a) *Process wastewater.* Except as specified in paragraph (c) of this section, the owner or operator of each affected source shall comply with the HON wastewater requirements in §§63.132 through 63.147 for each process wastewater stream originating at an affected source, with the HON leak inspection requirements in §63.148, and with the HON requirements in §63.149 for equipment that is subject to §63.149, with the differences noted in paragraphs

(a)(1) through (20) of this section. Further, the owner or operator of each affected source shall comply with the requirements of § 63.105(a) for maintenance wastewater, as specified in paragraph (b) of this section.

(1) Owners and operators of affected sources are not required to comply with the HON new source wastewater requirements in § 63.132(b)(1) and § 63.132(d) for the purposes of this subpart. Owners or operators of all new affected sources, as defined in this subpart, shall comply with the HON requirements for existing sources in §§ 63.132 through 63.149, with the exceptions noted in paragraphs (a)(2) through (20) of this section.

(2) The provisions of paragraphs (a)(2)(i), (ii), and (a)(10)(iii) of this section clarify the organic HAP that an owner or operator shall consider when complying with the requirements of §§ 63.132 through 63.149.

(i) Owners and operators are exempt from all requirements in §§ 63.132 through 63.149 that pertain solely and exclusively to organic HAP listed on Table 8 of 40 CFR part 63, subpart G.

(ii) When the HON requirements in §§ 63.132 through 63.149 refer to Table 9 compounds, the owner or operator is only required to consider compounds that meet the definition of organic HAP in § 63.1423 and that are listed in Table 9 of 40 CFR part 63, subpart G, for the purposes of this subpart.

(iii) When §§ 63.132 through 63.149 refer to compounds in Table 36 of 40 CFR part 63, subpart G, or compounds in List 1 or List 2 of Table 36 of 40 CFR part 63, subpart G, the owner or operator is only required to consider compounds that meet the definition of organic HAP in § 63.1423 and that are listed on Table 36 of 40 CFR part 63, subpart G, for the purposes of this subpart.

(3) When the determination of equivalence criteria in § 63.102(b) is referred to in §§ 63.132, 63.133, and 63.137, the General Provisions' alternative nonopacity emission standard provisions in § 63.6(g) shall apply for the purposes of this subpart.

(4) When the HON storage vessel requirements contained in §§ 63.119 through 63.123 are referred to in §§ 63.132 through 63.148, the HON storage vessel requirements in §§ 63.119 through 63.123

are applicable, with the exception of the differences referred to in the storage vessel requirements in § 63.1432, for the purposes of this subpart.

(5) When the HON process wastewater reporting requirements in § 63.146(a) require the submission of a request for approval to monitor alternative parameters according to the procedures specified in § 63.151(f) or (g), the owner or operator requesting to monitor alternative parameters shall follow the procedures specified in § 63.1439(f) for the purposes of this subpart.

(6) When the HON process wastewater recordkeeping requirements in § 63.147(d) require the owner or operator to keep records of the daily average value of each continuously monitored parameter for each operating day as specified in the HON recordkeeping provisions in § 63.152(f), the owner or operator shall instead keep records of the daily average value of each continuously monitored parameter as specified in § 63.1439(d), for the purposes of this subpart.

(7) When §§ 63.132 through 63.149 refer to an "existing source," the term *existing affected source*, as defined in § 63.1420(a)(2), shall apply for the purposes of this subpart.

(8) When the HON requirements in §§ 63.132 through 63.149 refer to a "new source," the term *new affected source*, as defined in § 63.1420(a)(3), shall apply for the purposes of this subpart.

(9) When the HON process wastewater provisions in § 63.132 (a) and (b) refer to the "applicable dates specified in § 63.100 of subpart F of this part," the applicable compliance dates specified in § 63.1422 shall apply, for the purposes of this subpart.

(10) Whenever the HON process wastewater provisions in §§ 63.132 through 63.147 refer to a Group 1 wastewater stream or a Group 2 wastewater stream, the definitions of these terms contained in § 63.1423 shall apply, for the purposes of this subpart.

(11) When the HON control requirements for certain liquid streams in open systems, in § 63.149(d), refer to "§ 63.100(f) of subpart F," the phrase "§ 63.1420(c)," shall apply for the purposes of this subpart. In addition, where § 63.149(d) states "and the item of equipment is not otherwise exempt

from controls by the provisions of subparts A, F, G, or H of this part,” the phrase “and the item of equipment is not otherwise exempt from controls by the provisions of subparts A, F, G, H, or PPP of this part,” shall apply for the purposes of this subpart.

(12) When the HON control requirements for certain liquid streams in open systems, in § 63.149(e) (1) and (2), refer to “a chemical manufacturing process unit subject to the new source requirements of 40 CFR 63.100(l) (1) or (2),” the phrase “a new affected source as described in § 63.1420(a)(4),” shall apply for the purposes of this subpart.

(13) When the HON Notification of Compliance Status requirements contained in § 63.152(b) are referred to in the HON process wastewater provisions in § 63.138 or § 63.146, the Notification of Compliance Status requirements contained in § 63.1439(e)(5) shall apply for the purposes of this subpart. In addition, when the HON process wastewater provisions in § 63.138 or § 63.146 require that information be reported according to § 63.152(b) in the HON Notification of Compliance Status, owners or operators of affected sources shall report the specified information in the Notification of Compliance Status required by § 63.1439(e)(5), for the purposes of this subpart.

(14) When the HON Periodic Report requirements contained in § 63.152(c) are referred to in the HON process wastewater provisions in § 63.146, the Periodic Report requirements contained in § 63.1439(e)(6) shall apply for the purposes of this subpart. In addition, when § 63.146 requires that information be reported in the HON Periodic Reports required in § 63.152(c), owners or operators of affected sources shall report the specified information in the Periodic Reports required in § 63.1439(e)(6), for the purposes of this subpart.

(15) When the term “range” is used in the HON requirements in §§ 63.132 through 63.149, the term “level” shall be used instead, for the purposes of this subpart. This level shall be determined using the procedures specified in parameter monitoring procedures in § 63.1438.

(16) When the HON process wastewater monitoring and inspection provi-

sions in § 63.143(f) specify that the owner or operator shall establish the range that indicates proper operation of the treatment process or control technique, the owner or operator shall instead comply with the requirements § 63.1438 (c) or (d) for establishing parameter level maximums/minimums, for the purposes of this subpart.

(17) When the HON process wastewater provisions in § 63.146(b) (7) and (8) require that “the information on parameter ranges specified in § 63.152(b)(2)” be reported in the HON Notification of Compliance Status, owners and operators of affected sources are instead required to report the information on parameter levels in the Notification of Compliance Status as specified in § 63.1439(e)(5)(ii), for the purposes of this subpart.

(18) For the purposes of this subpart, the owner or operator is not required to comply with the HON process wastewater emission reduction provisions in § 63.138(g).

(19) When the provisions of HON process wastewater provisions in § 63.139(c)(1)(ii), § 63.145(d)(4), or § 63.145(i)(2) specify that Method 18, 40 CFR part 60, appendix A shall be used, Method 18 or Method 25A, 40 CFR part 60, appendix A may be used for the purposes of this subpart. The use of Method 25A, 40 CFR part 60, appendix A shall comply with paragraphs (a)(19) (i) and (ii) of this section.

(i) The organic HAP used as the calibration gas for Method 25A, 40 CFR part 60, appendix A shall be the single organic HAP representing the largest percent by volume of the emissions.

(ii) The use of Method 25A, 40 CFR part 60, appendix A is acceptable if the response from the high-level calibration gas is at least 20 times the standard deviation of the response from the zero calibration gas when the instrument is zeroed on the most sensitive scale.

(20) The owner or operator of a facility which receives a Group 1 wastewater stream, or a residual removed from a Group 1 wastewater stream, for treatment pursuant to the HON provisions in § 63.132(g) is subject to the requirements of § 63.132(g), with the differences identified in this section, and is not subject to the NESHAP from off-

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site waste and recovery operations in 40 CFR part 63, subpart DD, with respect to the received material.

(b) *Maintenance wastewater.* The owner or operator of each affected source shall comply with the HON maintenance wastewater requirements in § 63.105, with the exceptions noted in paragraphs (b) (1), (2), and (3) of this section.

(1) When the HON maintenance wastewater provisions in § 63.105(a) refer to "organic HAPs listed in Table 9 of subpart G of this part," the owner or operator is only required to consider compounds that meet the definition of *organic HAP* in § 63.1423 and that are listed in Table 9 of 40 CFR part 63, subpart G, for the purposes of this subpart.

(2) When the term "maintenance wastewater" is used in the HON maintenance wastewater provisions in § 63.105, the definition of "maintenance wastewater" in § 63.1423 shall apply, for the purposes of this subpart.

(3) When the term "wastewater" is used in the HON maintenance wastewater provisions in § 63.105, the definition of "wastewater" in § 63.1423 shall apply, for the purposes of this subpart.

(c) *Compliance date.* The compliance date for the affected source subject to the provisions of this section is specified in § 63.1422.

[64 FR 29439, June 1, 1999, as amended at 65 FR 26501, May 8, 2000]

EFFECTIVE DATE NOTE: At 65 FR 26501, May 8, 2000, § 63.1433 was amended by revising paragraphs (a)(1), (a)(2), (a)(5), (a)(7), (a)(8), and (b)(1), effective July 7, 2000. For the convenience of the user, the superseded text is set forth as follows:

§ 63.1433 Wastewater provisions.

(a) * * *

(1) Owners and operators of affected sources are not required to comply with the HON new source wastewater requirements in § 63.132(b)(1) and § 63.132(d), for the purposes of this subpart. Owners or operators of all new affected sources, as defined in this subpart, shall comply with the HON requirements for existing sources in §§ 63.132 through 63.149.

(2) When the HON requirements in §§ 63.132 through 63.149 refer to Table 9 or Table 36 of 40 CFR part 63, subpart G, the owner or operator is only required to consider organic HAP listed in Table 9 or Table 36 of 40 CFR part 63, subpart G, that are also listed on Table 4 of this subpart, for the purposes of

this subpart. Owners and operators are exempt from all requirements in §§ 63.132 through 63.149 that pertain solely and exclusively to organic HAP listed on Table 8 of 40 CFR part 63, subpart G. In addition, when §§ 63.132 through 63.149 refer to List 1 or List 2, as listed in Table 36 of 40 CFR part 63, subpart G, the owner or operator is only required to consider organic HAP contained in those lists that are also listed on Table 4 of this subpart, for the purposes of this subpart.

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(5) When the HON process wastewater reporting requirements in § 63.146(a) require the submission of a request for approval to monitor alternative parameters according to the procedures specified in § 63.151(g) or § 63.152(e), the owner or operator requesting to monitor alternative parameters shall follow the procedures specified in § 63.1439(f), for the purposes of this subpart.

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(7) When the HON requirements in §§ 63.132 through 63.149 refer to an "existing source," the term "existing affected source," as defined in § 63.1420(a)(3) shall apply, for the purposes of this subpart.

(8) When the HON requirements in §§ 63.132 through 63.149 refer to a "new source," the term "new affected source," as defined in § 63.1420(a)(4) shall apply, for the purposes of this subpart.

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(b) * * *

(1) When the HON maintenance wastewater provisions in § 63.105(a) refer to "organic HAPs," the definition of "organic HAP" in § 63.1423 shall apply, for the purposes of this subpart.

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§ 63.1434 Equipment leak provisions.

(a) The owner or operator of each affected source shall comply with the HON equipment leak requirements in 40 CFR part 63, subpart H for all equipment in organic HAP service, except as specified in paragraphs (b) through (g) of this section.

(b) The compliance date for the equipment leak provisions in this section is provided in § 63.1422(d).

(c) Affected sources subject to the HON equipment leak provisions in 40 CFR part 63, subpart I shall continue to comply with 40 CFR part 63, subpart I until the compliance date specified in