Environmental Protection Agency § 63.2535

(j) In the SSMP required by §63.6(e)(3), you are not required to include Group 2 emission points, unless those emission points are used in an emissions average. For equipment leaks, the SSMP requirement is limited to control devices and is optional for other equipment.

(k) For each bag leak detector used to monitor PM HAP emissions from a fabric filter, maintain records of any bag leak detection alarm, including the date and time, with a brief explanation of the cause of the alarm and the corrective action taken.

[68 FR 63888, Nov. 10, 2003, as amended at 70 FR 38560, July 1, 2005; 71 FR 40337, July 14, 2006]

OTHER REQUIREMENTS AND INFORMATION

§ 63.2535 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?

For any equipment, emission stream, or wastewater stream subject to the provisions of both this subpart and another rule, you may elect to comply only with the provisions as specified in paragraphs (a) through (l) of this section. You also must identify the subject equipment, emission stream, or wastewater stream, and the provisions with which you will comply, in your notification of compliance status report required by §63.2520(d).

(a) Compliance with other subparts of this part 63. (1) If you have an MCPU that includes a batch process vent that also is part of a CMPU as defined in subparts F and G of this part 63, you must comply with the emission limits; operating limits; work practice standards; and the compliance, monitoring, reporting, and recordkeeping requirements for batch process vents in this subpart, and you must continue to comply with the requirements in subparts F, G, and H of this part 63 that are applicable to the CMPU and associated equipment.

(2) After the compliance dates specified in §63.2445, at an offsite reloading or cleaning facility subject to §63.1253(f), as referenced from §63.2470(e), compliance with the monitoring, recordkeeping, and reporting provisions of any other subpart of this part 63 constitutes compliance with the monitoring, recordkeeping, and reporting provisions of §63.1253(f)(7)(ii) or §63.1253(f)(7)(iii). You must identify in your notification of compliance status report required by §63.2520(d) the subpart of this part 63 with which the owner or operator of the offsite reloading or cleaning facility complies.

(b) Compliance with 40 CFR parts 264 and 265, subparts AA, BB, and/or CC. (1) After the compliance dates specified in §63.2445, if a control device that you use to comply with this subpart is also subject to monitoring, recordkeeping, and reporting requirements in 40 CFR part 264, subpart AA, BB, or CC; or the monitoring and recordkeeping requirements in 40 CFR part 265, subpart AA, BB, or CC; and you comply with the periodic reporting requirements under 40 CFR part 264, subpart AA, BB, or CC that would apply to the device if your facility had final-permitted status, you may elect to comply either with the monitoring, recordkeeping, and reporting requirements of this subpart; or with the monitoring and recordkeeping requirements in 40 CFR part 264 or 265 and the reporting requirements in 40 CFR part 264, as described in this paragraph (b)(1), which constitute compliance with the monitoring, recordkeeping, and reporting requirements of this subpart. If you elect to comply with the monitoring, recordkeeping, and reporting requirements in 40 CFR parts 264 and/or 265, you must report the information described in §63.2520(e).

(2) After the compliance dates specified in §63.2445, if you have an affected source with equipment that is also subject to 40 CFR part 264, subpart BB, or to 40 CFR part 265, subpart BB, then compliance with the recordkeeping and reporting requirements of 40 CFR parts 264 and/or 265 may be used to comply with the recordkeeping and reporting requirements of this subpart, to the extent that the requirements of 40 CFR parts 264 and/or 265 duplicate the requirements of this subpart.

(c) Compliance with 40 CFR part 60, subpart Kb and 40 CFR part 61, subpart Y. After the compliance dates specified in §63.2445, you are in compliance with the provisions of this subpart for any storage tank that is assigned to an
MCPU and that is both controlled with a floating roof and in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y. You are in compliance with this subpart FFFF if you have a storage tank with a fixed roof, closed-vent system, and control device in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that you must comply with the monitoring, recordkeeping, and reporting requirements in this subpart FFFF. Alternatively, if a storage tank assigned to an MCPU is subject to control under 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, you may elect to comply only with the requirements for Group 1 storage tanks in this subpart FFFF.

(d) Compliance with subpart I, GGG, or MMM of this part 63. After the compliance dates specified in §63.2445, if you have an affected source with equipment subject to subpart I, GGG, or MMM of this part 63, you may elect to comply with the provisions of subpart H, GGG, or MMM of this part 63, respectively, for all such equipment.

(e) Compliance with subpart GGG of this part 63 for wastewater. After the compliance dates specified in §63.2445, if you have an affected source with equipment subject to subpart I, GGG, or MMM of this part 63, you may elect to comply with the provisions of this subpart FFFF for all such wastewater streams.

(f) Compliance with subpart MMM of this part 63 for wastewater. After the compliance dates specified in §63.2445, if you have an affected source with equipment subject to subpart I, GGG, or MMM of this part 63, you may elect to comply with the provisions of this subpart FFFF for all such wastewater streams.

(g) Compliance with other regulations for wastewater. After the compliance dates specified in §63.2445, if you have a Group 1 wastewater stream that is also subject to provisions in 40 CFR parts 260 through 272, you may elect to determine whether this subpart or 40 CFR parts 260 through 272 contain the more stringent control requirements (e.g., design, operation, and inspection requirements for waste management units; numerical treatment standards; etc.) and the more stringent testing, monitoring, recordkeeping, and reporting requirements. Compliance with provisions of 40 CFR parts 260 through 272 that are determined to be more stringent than the requirements of this subpart constitute compliance with this subpart. For example, provisions of 40 CFR parts 260 through 272 for treatment units that meet the conditions specified in §63.138(h) constitute compliance with this subpart. You must identify in the notification of compliance status report required by §63.2520(d) the information and procedures that you used to make any stringency determinations.

(h) Compliance with 40 CFR part 60, subpart DDD, III, NNN, or RRR. After the compliance dates specified in §63.2445, if you have an MCPU that contains equipment subject to the provisions of this subpart that are also subject to the provisions of 40 CFR part 60, subpart DDD, III, NNN, or RRR, you may elect to apply this subpart to all such equipment in the MCPU. If an MCPU subject to the provisions of this subpart has equipment to which this subpart does not apply but which is subject to a standard in 40 CFR part 60, subpart DDD, III, NNN, or RRR, you may elect to comply with the requirements for Group 1 process vents in this subpart for such equipment. If you elect any of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this paragraph (h), will constitute compliance with 40 CFR part 60, subpart DDD, III, NNN, or RRR, as applicable.

(i) Compliance with 40 CFR part 61, subpart BB. (1) After the compliance dates specified in §63.2445, a Group 1 transfer rack, as defined in §63.2550, that is also subject to the provisions of
40 CFR part 61, subpart BB, you are required to comply only with the provisions of this subpart.

(2) After the compliance dates specified in §63.2445, a Group 2 transfer rack, as defined in §63.2550, that is also subject to the provisions of 40 CFR part 61, subpart BB, is required to comply with the provisions of either paragraph (l)(2)(i) or (ii) of this section.

(i) If the transfer rack is subject to the control requirements specified in §61.302 of 40 CFR part 61, subpart BB, then you may elect to comply with either the requirements of 40 CFR part 61, subpart BB, or the requirements for Group 1 transfer racks under this subpart.

(ii) If the transfer rack is subject only to reporting and recordkeeping requirements under 40 CFR part 61, subpart BB, then you are required to comply only with the reporting and recordkeeping requirements specified in this subpart for Group 2 transfer racks, and you are exempt from the reporting and recordkeeping requirements in 40 CFR part 61, subpart BB.

(j) Compliance with 40 CFR part 61, subpart FF. After the compliance date specified in §63.2445, for a Group 1 or Group 2 wastewater stream that is also subject to the provisions of 40 CFR 61.342(c) through (h), and is not exempt under 40 CFR 61.342(c)(2) or (3), you may elect to comply only with the requirements for Group 1 wastewater streams in this subpart. If a Group 2 wastewater stream is exempted from the requirements of paragraph (j)(1)(i) of this section, provided they satisfy the criteria specified in paragraphs (j)(1)(i)(A) through (C) of this section. Also identify all of the processing equipment used for each process unit based on descriptions in operating scenarios.

(A) Each process unit that is created from nondedicated equipment that will operate on or after November 10, 2003 and identify all processing equipment that is part of this MCPU, based on descriptions in operating scenarios.

(i) Initially, identify an MCPU that is created from nondedicated equipment that will operate on or after November 10, 2003 and identify all processing equipment that is part of this MCPU, based on descriptions in operating scenarios.

(ii) Add to the group any other nondedicated MCPU and other nondedicated process units expected to be operated in the 5 years after the date specified in paragraph (j)(1)(i) of this section, provided they satisfy the criteria specified in paragraphs (j)(1)(i)(A) through (C) of this section. Also identify all of the processing equipment used for each process unit based on information from operating scenarios and other applicable documentation.

(A) Each process unit that is added to a group must have some processing equipment that is also subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to apply this subpart to all such equipment. If you elect either of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this paragraph (k), will constitute compliance with 40 CFR part 60, subpart VV and 40 CFR part 61, subpart V, as applicable.

(l) Applicability of process units included in a process unit group. You may elect to develop and comply with the requirements for PUG in accordance with paragraphs (l)(1)(i) through (3) of this section.

(i) Procedures to create process unit groups. Develop and document changes in a PUG in accordance with the procedures specified in paragraphs (l)(1)(i) through (v) of this section.

(ii) Add to the group any other non-dedicated MCPU and other nondedicated process units expected to be operated in the 5 years after the date specified in paragraph (l)(1)(i) of this section, provided they satisfy the criteria specified in paragraphs (l)(1)(i)(A) through (C) of this section. Also identify all of the processing equipment used for each process unit based on information from operating scenarios and other applicable documentation.

(A) Each process unit that is added to a group must have some processing equipment that is also subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to apply this subpart to all such equipment. After the compliance date specified in §63.2445, if you have an affected source with equipment to which this subpart does not apply, but which is subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to apply this subpart to all such equipment. If you elect either of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this paragraph (l), will constitute compliance with 40 CFR part 60, subpart VV and 40 CFR part 61, subpart V, as applicable.

(2) After the compliance dates specified in §63.2445, all Group 2 wastewater streams that are also subject to the provisions of 40 CFR 61.342(c) through (h), and are not exempt under 40 CFR 61.342(c)(2) or (3), you may elect to apply the requirements for Group 1 wastewater streams in this subpart. If a Group 2 wastewater stream is exempted from the requirements of paragraph (l)(1)(i) of this section, provided they satisfy the criteria specified in paragraphs (l)(1)(i)(A) through (C) of this section. Also identify all of the processing equipment used for each process unit based on information from operating scenarios and other applicable documentation.

(A) Each process unit that is added to a group must have some processing equipment that is also subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to apply this subpart to all such equipment. After the compliance date specified in §63.2445, if you have an affected source with equipment to which this subpart does not apply, but which is subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to apply this subpart to all such equipment. If you elect either of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this paragraph (l), will constitute compliance with 40 CFR part 60, subpart VV and 40 CFR part 61, subpart V, as applicable.
§ 63.2540 What parts of the General Provisions apply to me?

Table 12 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you.

§ 63.2545 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by us, the U.S. Environmental Protection Agency (U.S. EPA), or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency also has the authority to implement and enforce this subpart. You should contact your