§ 63.11499 What are the standards and compliance requirements for heat exchange systems?

(a) If the cooling water flow rate in your heat exchange system is equal to or greater than 8,000 gal/min and is not meeting one or more of the conditions in §63.104(a), then you must comply with one of the requirements specified in Table 8 to this subpart.

(b) For equipment that meets Current Good Manufacturing Practice (CGMP) requirements of 21 CFR part 211, you may use the physical integrity of the reactor as the surrogate indicator of heat exchanger system leaks when complying with Item 1.a in Table 8 to this subpart.

(c) Any reference to SSM provisions in other subparts that are referenced in paragraphs (a) and (b) of this section or Table 8 to this subpart do not apply.

§ 63.11500 What compliance options do I have if part of my plant is subject to both this subpart and another Federal standard?

For any CMPU, heat exchange system, or wastewater system subject to the provisions of both this subpart and another rule, you may elect to comply only with the more stringent provisions as specified in paragraphs (a) through (d) of this section. You must consider all provisions of the rules, including monitoring, recordkeeping, and reporting. You must identify the subject CMPU, heat exchange system, and/or wastewater system, and the provisions with which you will comply in your NOCS report required by §63.11501(b). You also must demonstrate in your NOCS report that each provision with which you will comply is at least as stringent as the otherwise applicable requirement in this subpart VVVVVV. You are responsible for making accurate determinations concerning the more stringent standards and noncompliance with this rule is not excused if it is later determined that your determination was in error and, as a result, you are violating this subpart. Compliance with this rule is your responsibility and the NOCS report does not alter or affect that responsibility.

(a) Compliance with other subparts of this part 63. (1) If any part of a CMPU that is subject to the provisions of this subpart is also subject to the provisions of another subpart of 40 CFR part 63, then compliance with any of the requirements in the other subpart of this part 63 that are at least as stringent as the corresponding requirements in this subpart VVVVVV constitutes compliance with this subpart VVVVVV.

(2) After the compliance dates specified in §63.11494, at an offsite reloading or cleaning facility subject to §63.1253(f), as referenced from §63.2470(e) and Table 4 to subpart VVVVVV, 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 (iii). You must identify in your notification of compliance status report required by §63.11501(b) the subpart of this part 63 with which the owner or operator of the offsite reloading or cleaning facility complies.

(b) Compliance with subparts of 40 CFR part 60. If any part of a CMPU that is subject to the provisions of this subpart is also subject to the provisions of subpart VV, DDD, III, NNN, RRR, or YYY in 40 CFR part 60, then compliance with any of the requirements in 40 CFR part 60, subpart VV, DDD, III, NNN, RRR, or YYY that are at least as stringent as the corresponding requirements in this subpart VVVVVV constitutes compliance with this subpart VVVVVV.

(c) Compliance with subparts of 40 CFR part 61. If any part of a CMPU that is subject to the provisions of this subpart is also subject to the provisions of subpart V, Y, BB, or FF of 40 CFR part 61, then compliance with any of the requirements in 40 CFR part 61, subpart V, Y, BB, or FF that are at least as stringent as the corresponding requirements in this subpart VVVVVV constitutes compliance with this subpart VVVVVV.

(d) Compliance with 40 CFR parts 260 through 272. If any part of a CMPU that is subject to the provisions of this subpart is also subject to the provisions of 40 CFR parts 260 through 272, then compliance with any of the requirements in 40 CFR part 260 through 272 rule that
§ 63.11501 What are the notification, recordkeeping, and reporting requirements, and how may I assert an affirmative defense for violation of emission standards during malfunction?

(a) General provisions. You must meet the requirements of the General Provisions in 40 CFR part 63, subpart A, as shown in Table 9 to this subpart. The General Provisions in other parts do not apply except when a requirement in an overlapping standard, which you determined is at least as stringent as subpart VVVVV and with which you have opted to comply, requires compliance with general provisions in another part.

(b) Notification of compliance status (NOCS). Your NOCS required by § 63.9(h) must include the following additional information as applicable:

(1) This certification of compliance, signed by a responsible official:
   (i) “This facility complies with the management practices in § 63.11495.”
   (ii) “This facility complies with the requirements in § 63.11496 for HAP emissions from process vents.”
   (iii) “This facility complies with the requirements in § 63.11496 and § 63.11497 for surge control vessels, bottoms receivers, and storage tanks.”
   (iv) “This facility complies with the requirements in § 63.11498 to treat wastewater streams.”
   (v) “This facility complies with the requirements in § 63.11499 for heat exchange systems.”

(2) If you comply with the alternative standard as specified in Table 2 to this subpart or Table 3 to this subpart, include the information specified in § 63.1258(b)(5), as applicable.

(3) If you establish an operating limit for a parameter that will not be monitored continuously in accordance with §§ 63.11496(g)(4) and 63.2450(k)(6), provide the information as specified in §§ 63.11496(g)(4) and 63.2450(k)(6).

(4) A list of all transferred liquids that are reactive or resinous materials, as defined in §63.11502(b).

(5) If you comply with provisions in an overlapping rule in accordance with §63.11500, identify the affected CMPU, heat exchange system, and/or wastewater system; provide a list of the specific provisions with which you will comply; and demonstrate that the provisions with which you will comply are at least as stringent as the otherwise applicable requirements, including monitoring, recordkeeping, and reporting requirements, in this subpart VVVVV.

(c) Recordkeeping. You must maintain files of all information required by this subpart for at least 5 years following the date of each occurrence according to the requirements in § 63.10(b)(1). If you are subject, you must comply with the recordkeeping and reporting requirements of §63.10(b)(2)(iii) and (vi) through (xiv), and the applicable requirements specified in paragraphs (c)(1) through (8) of this section.

(1) For each CMPU subject to this subpart, you must keep the records specified in paragraphs (c)(1)(i) through (viii) of this section.

   (i) Records of management practice inspections, repairs, and reasons for any delay of repair, as specified in §63.11495(a)(5).
   (ii) Records of small heat exchange system inspections, demonstrations of indications of leaks that do not constitute leaks, repairs, and reasons for any delay in repair as specified in §63.11495(b).
   (iii) If batch process vent emissions are less than 10,000 lb/yr for a CMPU, records of batch process vent emission calculations, as specified in §63.11495(a)(1), the number of batches operated each month, as specified in §63.11495(a)(3), and any updated emission calculations, as specified in §63.11495(a)(3). Alternatively, keep records of the worst-case processes or organic HAP usage, as specified in §63.11495(a)(2) and (4), respectively.
   (iv) Records of all TRE calculations for continuous process vents as specified in §63.11495(b).
   (v) Records of metal HAP emission calculations as specified in

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