

40 CFR 60 Subpart DDD - Rule Interpretation Memos

- ! [Applicability of Subpart DDD to intermittent vent relief valves.](#) [November 4, 1998]
- ! [Typographical error in §60.562-1\(a\)\(2\), references 60.560-1\(a\)\(1\) which doesn't exist.](#) [February 9, 1999]
- ! [Explanation of intent on waiving the requirements of §60.562-1\(a\)\(2\).](#) [February 9, 1999]
- ! [Is the use of either a car-seal or flow indicator optional for 40 CFR 60, Subpart DDD](#) [October 26, 2000]
- ! [Applicability of 40 CFR 60.562-1\(d\) and \(e\) to a control device bypass valve that diverts a vent stream to an emergency control device.](#) [January 12, 2001]

Last Modified: January 12, 2001

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
Title 40 C. F. R. Part 60, Subpart DDD	Description: Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
Interpretation Request:	
Are relief valve discharges intended to be regulated as vent streams under Title 40 Code of Federal Regulations (C.F.R.) Part 60, Subpart DDD? Since relief valves are specifically excluded from the definition of a vent stream under 40 C.F.R. Part 60, Subparts NNN and RRR, it seems reasonable to extend this approach to Subpart DDD.	
Determination:	
Relief valves associated with intermittent vents that are designed into the process to maintain normal operating conditions of process vessels including those vents that regulate normal process vessel pressure are intended to be regulated as vent streams under 40 C.F.R. Part 60, Subpart DDD. To be exempted, a release from a relief valve must meet the definition of an “emergency vent stream.”	

Air Rule Interpretation Summary Form

Code Number	60DDD.002
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> __ </u>
40 C.F.R. Part 60, Subpart DDD § 60.562-1(a)(2)	Description: Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
Interpretation Request:	
Title 40 Code of Federal Regulations § 60.562-1(a)(2) [40 C.F.R. § 60.562-1(a)(2)] states: “The owner or operator shall control each vent stream that emits intermittent emissions from an affected facility as defined in 40 C.F.R. § 60.560-1(a)(1) by meeting one of the control requirements specified in paragraphs (a)(2)(i) and (ii) of this section.” Should the reference to 40 C.F.R. § 60.560-1(a)(1) instead be to 40 C.F.R. § 60.560(a)(1)?	
Determination:	
The reference to 40 C.F.R. § 60.560-1(a)(1) in 40 C.F.R. § 60.562-1(a)(2) should instead be to 40 C.F.R. § 60.560(a)(1).	

Bibliography:

Title 40 C.F.R. § 60.560(a)(1) (July 1, 1997)

55 Fed. Reg. 51,035 (1990) (December 11, 1990)

Air Rule Interpretation Summary Form

Code Number	60DDD.003
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> __ </u>
40 C.F.R. Part 60, Subpart DDD § 60.562-1(a)(2)	Description: Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
Interpretation Request:	
<p>Title 40 Code of Federal Regulations § 60.562-1(a)(2) [40 C.F.R. § 60.562-1(a)(2)] states: “The owner or operator shall control each vent stream that emits intermittent emissions from an affected facility as defined in 40 C.F.R. § 60.560-1(a)(1) by meeting one of the control requirements specified in paragraphs (a)(2)(i) and (ii) of this section. If a vent stream that emits intermittent emissions is controlled in an existing flare, incinerator, boiler, or process heater, the requirements of this paragraph are waived until such time the control device is reconstructed or replaced or is modified in its operating conditions as a result of state or local regulation, including changes in the operating permit.” If a vent stream’s intermittent emissions are controlled by an existing control device, does 40 C.F.R. § 60.562-1(a)(2) exempt that vent stream from all of the requirements of 40 C.F.R. § 60.562-1(a)(2), or only from 40 C.F.R. § 60.562-1(a)(2)(i) and (ii)?</p>	
Determination:	
<p>The phrase “the requirements of this paragraph are waived” contained in 40 C.F.R. § 60.562-1(a)(2) exempts that stream from all of the control requirements of 40 C.F.R. § 60.562-1(a)(2) until the control device is reconstructed or replaced or is modified in its operating conditions as a result of State or local regulation, including changes in the operating permit.</p>	

Bibliography:

Title 40 C.F.R. § 60.562-1(a)(2) (1997)

55 Fed. Reg. 51,017 (1990) (December 11, 1990)

Air Rule Interpretation Summary Form

Code Number	60DDD.004
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Is the use of either a car-seal or flow indicator optional for 40 CFR 60, Subpart DDD	October 26, 2000
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Rule/Regulation Citation(s):	Federal Rule: <u>X</u>	State Regulation: <u> </u>	Description:
40 C.F.R. Part 60, Subpart DDD § 60.563(d)	Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry		

Interpretation Request:

Title 40 Code of Federal Regulation (C.F.R.) Part 60, Subpart DDD [40 CFR § 60.562-1(e)] requires car-seals on valves to control devices that could divert vent streams from the control device. Bypasses to control devices used to comply with the rule must be monitored per 40 C.F.R. § 60.563(d). The owner or operator has the option of installing a flow indicator downstream of a bypass to the control device or monitoring the conditions of car-seals on a monthly basis. However, the standards for process emissions in 40 C.F.R. § 60.562-1(e), only address the use of car-seals. Is the use of either a car-seal or flow indicator optional?

Determination:

Per 40 C.F.R. § 60.563(d), the owner or operator has the option to either monitor the valves once a month (checking the position of the valves and the condition of the car-seal, and identify all times when the car-seals have been broken and the valve position has been changed) or use a flow indicator. However, all valves, that could divert a vent stream from a control device or lead the vent stream to the atmosphere, either directly or indirectly, bypassing the control device, must meet the requirements of 40 C.F.R. § 60.562-1(e). Therefore, even if the owner or operator chooses to use a flow indicator to monitor these particular valves in accordance with 40 C.F.R. § 60.563(d)(1), the valves must be car-sealed in accordance with 40 C.F.R. § 60.562-1(e).

Bibliography:

- Title 40 C.F.R. Part 60, Subpart DDD (1999). (July 1, 1999)
- 55 Fed. Reg. 51033 (1990). (Dec. 11, 1990)
- 52 Fed. Reg. 36678 (1987). (Sept. 30, 1987)

Please note, in the event that an external customer feels that this rule interpretation is in error or a source of information has been overlooked which would change the determination, a request for reconsideration may be submitted. Requests must be submitted on a Reconsideration Process Form which is available at the TNRCC's homepage: <http://www.tnrcc.state.tx.us/air/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.

Air Rule Interpretation Summary Form

Code Number	60DDD.005
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Applicability Of 40 CFR 60.562-1(d) and (e) to a control device bypass valve that diverts a vent stream to an emergency control device.	January 12, 2001
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 C.F.R. Part 60, Subpart DDD §§ 60.562-1(d) and (e)	Description: Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry

Interpretation Request:

Is a facility subject to the closed vent system and control device requirements of Title 40 Code of Federal Regulations (C.F.R.) § 60.562-1(d) and the car-seal requirements of 40 C.F.R. § 60.562-1(e) if a bypass valve diverts a Volatile Organic Compound (VOC) vent stream from a control device to an “emergency flare” (which does not comply with the flare requirements of 40 C.F.R. Part 60, Subpart DDD), instead of being released directly to the atmosphere? In addition, can start-up and shutdown emissions be routed to the “emergency flare” (which does not comply with the flare requirements of 40 C.F.R. Part 60, Subpart DDD), and is the “emergency flare” exempt from the 40 C.F.R. § 60.18 requirements during start-up and shutdown based on 40 C.F.R. §§ 60.11(c) and (d)?

Determination:

All valves that divert a vent stream from a control device shall be car-sealed closed in accordance with the requirements of 40 C.F.R. § 60.562-1(e). This includes bypass valves that vent indirectly to the atmosphere through an emergency control device (i.e. emergency flare). During start-up and shutdown, all emissions must be sent to a control device meeting the requirements of 40 C.F.R. Part 60, Subpart DDD, which includes § 60.562-1(d). Therefore, start-up and shutdown emissions cannot be vented to an emergency control device (i.e. emergency flare). In accordance with the requirements of 40 C.F.R. Part 60, Subpart DDD, the emergency flare is not subject to 40 C.F.R. § 60.18.

Please note, if the car-seal is not installed in accordance with the requirements of 40 C.F.R. § 60.562-1(e), the emergency flare is, at all times, subject to the requirements of 40 C.F.R. Part 60, Subpart DDD, including § 60.562-1(d).

Bibliography:

Title 40 C.F.R. Part 60, Subpart DDD (1999). (July 1, 1999)

55 Fed. Reg. 51033 (1990). (Dec. 11, 1990)

52 Fed. Reg. 36678 (1987). (Sept. 30, 1987)