

40 CFR 60 Subpart NNN - Rule Interpretation Memos

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- ! [Applicability of NSPS to glycol dehydrators](#) [August 25, 1997]
- ! [Applicability of NSPS NNN to amine units located at oil and gas sources](#) [August 25, 1997]
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Last Modified: August 17, 2001

Rule Interpretation Summary Form

Code Number	60NNN.001
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REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> __ </u>
40 CFR 60, Subpart NNN	Description: NSPS Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
Interpretation Request:	
Is Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Subpart NNN (<i>Standards of Performance for Volatile Organic Compound Emissions From the Synthetic Organic Chemical Manufacturing Industry Distillation Operations</i>) applicable to distillation operations which are located at sites that are <u>not</u> considered traditional SOCMI sites?	

DETERMINATION:

Summary of Request:
Is 40 CFR 60, Subpart NNN (<i>Standards of Performance for Volatile Organic Compound Emissions from the Synthetic Organic Chemical Manufacturing Industry Distillation Operations</i>) applicable to distillation operations which are located at sites that are <u>not</u> considered traditional SOCMI sites?
Determination:
<p>Applicability of Subpart NNN to chemical plants and petroleum refineries: A distillation unit which produces any of the chemicals listed in § 60.667 as a product, co-product, by-product, or intermediate is subject to NSPS Subpart NNN if located in either a chemical plant or a petroleum refinery.</p> <p>Please note in the rule preambles the EPA excluded from applicability certain distillation operations that produce the listed chemicals. These exemptions can be found in § 60.660(c).</p> <p>Applicability of Subpart NNN to facilities other than petroleum refineries and chemical plants: It is the agency's determination that NSPS Subpart NNN is <u>not</u> applicable to distillation units <u>not</u> located at either a petroleum refinery or a chemical plant.</p> <p>For related interpretations see Rule Interpretation Code Numbers: 60NNN.002 (glycol dehydration units) and 60NNN.003 (amine units).</p>

Bibliography

Proposed Rules for Standards of Performance for New Stationary Sources VOC Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Unit Operations (48 FR 57538)

Proposed Rules: Reopening of Public Comment Period for Standards of Performance for New Stationary Sources: VOC Emissions from the Synthetic Organic Chemical manufacturing Industry (SOCMI), Air Oxidation Processes and Distillation Operations: (50 FR 20446)

Final Rules for Standards of Performance for New Stationary Sources; Volatile Organic Compound (VOC) Emission from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (55 FR 26931)

Distillation Operations In Synthetic Organic Chemical Manufacturing - Background Information for Proposed Standards (EPA-450/3-83-005a)

Distillation Operations in Synthetic Organic Chemical Manufacturing Industry - Background Information for Promulgated Standards (EPA-450/3-83-005b)

Enabling Document for New Source Performance Standards for Air Oxidation Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (EPA-450/3-90-018)

Priorities for New Source Performance Standards Under the Clean Air Act Amendments of 1977; Prepared by Argonne National Lab, IL, Energy and Environmental Systems Division; PB-289 214; April 1978

Proposed Rule and Notice of Public Hearing for Standards of Performance for New Stationary Sources: (43 FR 38872)

Revised Prioritized List of Source Categories for NSPS Promulgation (EPA 450 3-79-023)

Final Rule for the Priority List and Additions to the List of Categories of Stationary Sources (44 FR 49222)

DRAFT Document for the Petroleum Refinery MACT Standard Guidance; EPA Office of Enforcement and Compliance Assurance; Office of Compliance; May 1, 1997

July 5, 1991 letter from Mr. Merrit H. Nicewander, Section Chief, Air Programs, New Source Review Section (6T-AN), EPA Region VI, to Ms. Joyce D. Sheedy, PhD., Environmental Engineer, Permits and Enforcement Division, Air Quality Service, Oklahoma State Department of Health

Guidance for the Successful Assignment of Standard Industrial Classification Codes; Produced in the Technical Services Section of the Air Quality Planning Division; April 23, 1996

EPA Determination Index Download Report: ADI Category: NSPS; Subpart = NNN

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u> Description:
40 CFR 60 Subpart NNN	Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing (SOCMI) Distillation Operations.
Interpretation Request:	
Is NSPS NNN applicable to glycol dehydration units?	

DETERMINATION:

Summary of Request:
Are glycol dehydration units subject to Title 40 Code of Federal Regulations (40 CFR) Part 60 , Subpart NNN?
Determination:
Glycol dehydration units which produce chemicals not meeting the definition of a <i>product</i> as defined in § 60.661 are not subject to 40 CFR 60, Subpart NNN.

Rule Interpretation Summary Form

REQUEST:

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u> Description:
40 CFR 60 Subpart NNN	Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing (SOCMI) Distillation Operations.
Interpretation Request:	
Does NSPS NNN apply to amine units located at oil and gas sources?	

DETERMINATION:

Summary of Request:
Are amine units located at oil and gas sources subject to Title 40 Code of Federal Regulations (40 CFR) Part 60, Subpart NNN?
Determination:
Amine units located at oil and gas sources which produce chemicals not meeting the definition of a <i>product</i> as defined in § 60.661 are <u>not</u> subject to 40 CFR 60, Subpart NNN.

Rule Interpretation Summary Form

Code Number	60NNN.004
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 CFR 60, Subpart NNN	Description: New Source Performance Standard, Subpart NNN (NSPS Subpart NNN) - Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
Interpretation Request:	
What refinery distillation operations are subject to Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Subpart NNN (<i>Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations</i>)?	
Determination:	
Subpart NNN does <u>not</u> apply to refinery distillation units which produce a mixed stream containing a listed chemical. However, Subpart NNN does apply to distillation units at refineries which produce listed chemicals for sale or use as the listed chemical. As an example, a methyl tert-butyl ether (MTBE) production unit at a refinery is subject to Subpart NNN if the MTBE is sold as that chemical, or used as that chemical to produce another chemical or compound (<i>i.e.</i> , gasoline). Please note the process of blending the MTBE into gasoline would not be subject to Subpart NNN since only distillation operations, not blending operations, are covered by Subpart NNN.	

Bibliography:

Proposed Rules for Standards of Performance for New Stationary Sources VOC Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Unit Operations (48 FR 57538)

Proposed Rules: Reopening of Public Comment Period for Standards of Performance for New Stationary Sources: VOC Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI), Air Oxidation Processes and Distillation Operations: (50 FR 20446)

Final Rules for Standards of Performance for New Stationary Sources; Volatile Organic Compound (VOC) Emission From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (55 FR 26931)

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Distillation Operations in Synthetic Organic Chemical Manufacturing Industry - Background Information for Promulgated Standards (EPA-450/3-83-005b)

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Revised Prioritized List of Source Categories for NSPS Promulgation (EPA 450 3-79-023)

Final Rule for the Priority List and Additions to the List of Categories of Stationary Sources (44 FR 49222)

DRAFT Document for the Petroleum Refinery MACT Standard Guidance; EPA Office of Enforcement and Compliance Assurance; Office of Compliance; May 1, 1997

July 5, 1991 letter from Mr. Merrit H. Nicewander, Section Chief, Air Programs, New Source Review Section (6T-AN), EPA Region VI, to Ms. Joyce D. Sheedy, PhD., Environmental Engineer, Permits and Enforcement Division, Air Quality Service, Oklahoma State Department of Health

Guidance for the Successful Assignment of Standard Industrial Classification Codes; Produced in the Technical Services Section of the Air Quality Planning Division; April 23, 1996

EPA Determination Index Download Report: ADI Category: NSPS; Subpart NNN

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u> Description:
40 CFR 60, Subpart NNN § 60.660	NSPS Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
Interpretation Request:	
In the case of a methyl tertiary-butyl ether (MTBE) unit constructed at a refinery after December 30, 1983, does NSPS Title 40 Code of Federal Regulations Part 60 (40 CFR 60), Subpart NNN apply to vents used for blowdown which are normally closed and employ relief valves or valves opened only for maintenance?	
Determination:	
Per § 60.8(c), if the activity meets the definition of startup, shutdown, or malfunction in § 60.2, the emissions are not subject to the emission limits of 40 CFR 60 Subpart NNN. However if an activity, such as blowdown, use of relief valves, or maintenance, does not meet one of these definitions, the emissions are subject to the emission limits of 40 CFR 60 Subpart NNN.	

Air Rule Interpretation Summary Form

Code Number	60NNN.006
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Is a scrubbing operation which recovers acetone from a tank vent considered a distillation operation?	July 21, 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 NNN	Standards of Performance for VOC Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
Interpretation Request:	
Is a scrubbing operation which recovers acetone from a tank vent considered a distillation operation for purposes of Title 40 Code of Federal Regulations (C.F.R.) Part 60, Subpart NNN?	
Determination:	
A scrubbing operation, which uses physical washing to remove acetone, would not be considered a distillation operation for purposes of 40 C.F.R. 60, Subpart NNN applicability. However, a scrubbing system could still be subject to 40 C.F.R. 60, Subpart NNN standards if that scrubbing system acts as part of the recovery system or emission control system for a distillation unit, or if it utilizes volatility-based separation.	

Bibliography:

Title 40 C.F.R. Part 60, Subpart NNN. [Revised as of July 1, 1999]

48 Fed. Reg. 57,538 (1983). [Dec. 30, 1983]

50 Fed. Reg. 20,446 (1985). [May 16, 1985]

55 Fed. Reg. 26,931 (1990). [June 29, 1990]

Distillation Operations In Synthetic Organic Chemical Manufacturing - Background Information for Proposed Standards (EPA-450/3-83-005a).

Distillation Operations in Synthetic Organic Chemical Manufacturing Industry - Background Information for Promulgated Standards (EPA-450/3-83-005b).

Enabling Document for New Source Performance Standards for Air Oxidation Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (EPA-450/3-90-018).

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.

EPA Applicability Determination Index, Control Number NS16.

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	60NNN.007
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Typographical error in 40 CFR 60.660(c)(4)	August 17, 2001
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Rule/Regulation Citation(s):	Federal Rule: <input checked="" type="checkbox"/> State Regulation: <input type="checkbox"/> Description:
40 C.F.R. Part 60, Subpart NNN § 60.660(c)(4)	Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
Interpretation Request:	
Title 40 Code of Federal Regulations (C.F.R.) Part 60, Subpart NNN was amended on October 17, 2000 by the U.S. Environmental Protection Agency (EPA). One of the amendments was the re-designation of 40 C.F.R. §§ 60.664(b)(5), (c), (d), (e), (f), and (g) to 40 C.F.R. §§ 60.664(c), (d), (e), (f), (g), and (h). However, the EPA did not amend 40 C.F.R. § 60.660(c)(4) which references 40 C.F.R. § 60.664(d), (e), and (f). Should the references be to 40 C.F.R. § 60.664(e), (f), and (g)?	
Determination:	
The reference to 40 C.F.R. § 60.664(d), (e), and (f) contained in 40 C.F.R. § 60.660(c)(4) is a typographical error. The correct reference should be to 40 C.F.R. § 60.664(e), (f), and (g). Therefore, 40 C.F.R. § 60.660(c)(4) should read as follows:	
<p>Each affected facility that has a total resource effectiveness (TRE) index value greater than 8.0 is exempt from all provisions of this subpart except for §§ 60.662; <u>60.664(e), (f), and (g)</u>; and 60.665(h) and (l). [emphasis added]</p>	

Bibliography:

Title 40 CFR Part 60, Subpart NNN (July 1, 2000).

65 Fed. Reg. 61,774 (Oct. 17, 2000).

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/permitting/airperm/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.

Air Rule Interpretation Summary Form

Code Number	60NNN.008
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Typographical error in 40 CFR 60.664(f)	August 17, 2001
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Rule/Regulation Citation(s):	Federal Rule: <input checked="" type="checkbox"/> State Regulation: <input type="checkbox"/>
40 C.F.R. Part 60, Subpart NNN § 60.664(f)	Description: Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
Interpretation Request:	
Title 40 Code of Federal Regulations (C.F.R.) Part 60, Subpart NNN was amended on October 17, 2000 by the U.S. Environmental Protection Agency (EPA). One of the amendments was the re-designation of 40 C.F.R. §§ 60.664(b)(5), (c), (d), (e), (f), and (g) to 40 C.F.R. §§ 60.664(c), (d), (e), (f), (g), and (h). However, the EPA did not amend the newly re-designated 40 C.F.R. § 60.664(f). Title 40 C.F.R. § 60.664(f) still references the equations in 40 C.F.R. §§ 60.664(e)(1) and (e)(2). Should the references be to 40 C.F.R. §§ 60.664(f)(1) and (f)(2)?	
Determination:	
The reference to 40 C.F.R. §§ 60.664(e)(1) and (e)(2) contained in 40 C.F.R. § 60.664(f) is a typographical error. The correct reference should be to 40 C.F.R. §§ 60.664(f)(1) and (f)(2). Therefore, 40 C.F.R. § 60.664(f) should read as follows: <div style="padding-left: 40px; padding-right: 40px;"> <p>For purposes of complying with § 60.662(c) the owner or operator of a facility affected by this subpart shall calculate the TRE index value of the vent stream using the equation for incineration in paragraph (f)(1) of this section for halogenated vent streams. The owner or operator of an affected facility with a nonhalogenated vent stream shall determine the TRE index value by calculating values using both the incinerator equation in (f)(1) and the flare equation in (f)(2) of this section and selecting the lower of the two values. [emphasis added]</p> </div>	

Bibliography:

Title 40 CFR Part 60, Subpart NNN (July 1, 2000).

65 Fed. Reg. 61,774 (Oct. 17, 2000).

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