

40 CFR 60 Subpart RRR - Rule Interpretation Memos

- ! [Applicability of 40 CFR 60 Subpart VV and RRR to a facility using a listed chemical as a solvent or as an ingredient for an unlisted product.](#) [June 2, 2003]

Last Modified: June 2, 2003

Air Rule Interpretation Summary Form

	60VV.008 60RRR.001
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Applicability of 40 CFR 60 Subpart VV and RRR to a facility using a listed chemical as a solvent or as an ingredient for an unlisted product.	June 2, 2003
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	Federal Rule: <u> X </u> State Regulation: <u> __ </u>
	Description:
40 CFR Part 60, Subpart VV § 60.481	Standards of Performance for Equipment Leaks of VOC [volatile organic compounds] in the Synthetic Organic Chemical Manufacturing Industry (SOCMI)
40 CFR Part 60, Subpart RRR § 60.701	Standards of Performance for VOC emissions from synthetic organic chemical manufacturing industry reactor processes

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Title 40 Code of Federal Regulations (CFR) Part 60, Subparts VV and RRR apply to units which produce a specified set of chemicals as products, by-products, co-products, or intermediates. These regulations do not clearly indicate what constitutes production of products, by-products, co-products, or intermediates. For example, if a facility uses a listed chemical as a solvent, or as an ingredient in an otherwise-unlisted product mixture, is that facility considered to be producing the listed chemical as a product, by-product, co-product, or intermediate?

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These regulations apply to process units which produce a listed chemical by the reaction of feedstocks or chemical intermediates. A listed chemical which simply passes through the process unit without reaction is not considered to be produced as a product.

The use of a listed chemical as a solvent does not constitute production of that listed chemical as a product, by-product, co-product, or intermediate. The facility which originally produced the listed chemical may be subject to these regulations.

The use of a listed chemical as an ingredient in an otherwise unlisted product mixture does not constitute production of that chemical as a product, by-product, co-product, or intermediate, unless the product mixture can be sold or used as the listed chemical. The facility which originally produced the listed chemical may be subject to these regulations.

Bibliography:

40 CFR Part 60, Subpart VV (2001). [July 1, 2001]

40 CFR Part 60, Subpart RRR (2001). [July 1, 2001]

58 Fed. Reg. 45948 (1993). [Aug. 31, 1993]

55 Fed. Reg 26953 (1990). [June 29, 1990]

EPA Applicability Determination Index, Control No. 9600057 (1995). [Feb. 16, 1995]

EPA Applicability Determination Index, Control No. 960041 (1994). [Sep. 26, 1994]

EPA Applicability Determination Index, Control No. 9700142 (1994). [Apr. 6, 1994]

EPA Applicability Determination Index, Control No. NS13 (1991). [Apr. 22, 1991]

Air RIT Rule Interpretation/Opinion Code #: 60VV.008/60RRR.001

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 TCEQ's homepage: <http://www.tnrcc.state.tx.us/permitting/airperm/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.