

40 CFR 63 Subpart G - Rule Interpretation Memos

- [Applicability of NSPS III, NNN, RRR to sources subject to §63.110\(d\)\(3\), \(6\), \(9\)](#) [June 23, 1998]
- [Typographical error in 63.118\(f\)\(5\), references 63.118\(a\)\(2\)\(v\) which does not exist.](#) [December 21, 1999]
- [Typographical error in 63.130\(d\)\(5\), references 63.130\(a\)\(2\)\(v\) which does not exist.](#) [December 21, 1999]
- [Explanation of applicability of 63.112\(e\)\(3\)\(ii\) to combined emission streams](#) [June 30, 2000]

Last Modified: June 30, 2000

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 CFR 63, Subpart G	Description: National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
Interpretation Request:	
Title 40 Code of Federal Regulations (CFR) Part 63, Subpart G, § 63.110(d)(3), (6), and (9) state that owners or operators with process vents (that are complying with 40 CFR 63 Subpart G control requirements and that are also subject to 40 CFR 60 Subparts III, NNN, or RRR) who elect to control vents to the levels required in § 63.113(a)(1) or (a)(2) of 40 CFR 63 Subpart G without calculating the total resource effectiveness index value (TRE) of the vent according to § 63.115(d) are exempt from the testing, monitoring, reporting, and recordkeeping requirements associated with 40 CFR 60 Subparts III, NNN, and RRR. Are the owners/operators of these vents exempt from the requirements of 40 CFR 60, Subpart A, and are they also exempt from the actual standards contained in 40 CFR 60, Subparts III, NNN, and RRR?	
Determination:	
The owner or operator is not exempted under 40 CFR § 63.110(d)(3), (6), and (9) from the applicable emission limitations or control standards of 40 CFR 60 Subpart III, NNN, or RRR. Any facility exempted under 40 CFR § 63.110(d)(3), (6), or (9) from the specific monitoring, testing, recordkeeping, and reporting requirements of 40 CFR 60 Subparts III, NNN, or RRR shall also be exempted from the corresponding monitoring (§§ 60.13 and 60.18), testing (§§ 60.8 and 60.18), recordkeeping (§ 60.7), and reporting (§ 60.19) requirements of 40 CFR 60 Subpart A. However, the facility is not exempt from the other 40 CFR 60 Subpart A requirements (which include §§ 60.1-.60.6, §§ 60.9-60.12, and §§ 60.14-60.17).	

Bibliography:

59 Fed. Reg. 19,402 (1994)
 40 CFR 63, Subpart G
 40 CFR 60, Subparts A, III, NNN, and RRR

Air Rule Interpretation Summary Form

Code Number	63G.002
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Typographical error in 63.118(f)(5), references 63.118(a)(2)(v) which does not exist	December 21, 1999
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Rule/Regulation Citation(s):	Federal Rule: <u>X</u> State Regulation: <u> </u>
40 C.F.R. Part 63, Subpart G § 63.118(f)(5)	Description: National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
Interpretation Request:	
Title 40 Code of Federal Regulations (C.F.R.) § 63.118(f)(5) makes reference to 40 C.F.R. § 63.118(a)(2)(v). However, 40 C.F.R. § 63.118(a)(2)(v) does not exist. Should the correct reference be 40 C.F.R. § 63.118(a)(2)?	
Determination:	
The reference in 40 C.F.R. § 63.118(f)(5) to 40 C.F.R. § 63.118(a)(2)(v) is incorrect. The correct reference should be 40 C.F.R. § 63.118(a)(2). Therefore, 40 C.F.R. § 63.118(f)(5) should read: "Reports of the times and durations of all periods recorded under paragraph (a)(2) of this section in which all pilot flames of a flare were absent."	

Bibliography:

Title 40 C.F.R. Part 63, Subpart G, § 63.146(b)(8) [Revised as of July 1, 1998]

57 Fed. Reg. 62,608 (1992). [December 31, 1992]

59 Fed. Reg. 19,402 (1994). [April 22, 1994]

61 Fed. Reg. 43,698 (1996). [August 26, 1996]

62 Fed. Reg. 2722 (1997). [January 17, 1997]

Air Rule Interpretation Summary Form

Code Number	63G.003
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Typographical error in 63.130(d)(5), references 63.130(a)(2)(v) which does not exist.	December 21, 1999
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 C.F.R. Part 63, Subpart G § 63.130(d)(5)	Description: National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
Interpretation Request:	
Title 40 Code of Federal Regulations (C.F.R.) § 63.130(d)(5) makes reference to 40 C.F.R. § 63.130(a)(2)(v). However, 40 C.F.R. § 63.130(a)(2)(v) does not exist. Should the correct reference be 40 C.F.R. § 63.130(a)(2)(i)?	
Determination:	
The reference in 40 C.F.R. § 63.130(d)(5) to 40 C.F.R. § 63.130(a)(2)(v) is incorrect. The correct reference should be 40 C.F.R. § 63.130(a)(2)(i). Therefore, 40 C.F.R. § 63.130(d)(5) should read: "Reports of the times and durations of all periods recorded under paragraph (a)(2)(i) of this section in which all pilot flames of a flare were absent."	

Bibliography:

Title 40 C.F.R. Part 63, Subpart G, § 63.146(b)(8) [Revised as of July 1, 1998]

57 Fed. Reg. 62,608 (1992). [December 31, 1992]

59 Fed. Reg. 19,402 (1994). [April 22, 1994]

61 Fed. Reg. 43,698 (1996). [August 26, 1996]

62 Fed. Reg. 2722 (1997). [January 17, 1997]

Air Rule Interpretation Summary Form

Code Number	63G.004
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Explanation of applicability of 63.112(e)(3)(ii) to combined emission streams	June 30, 2000
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Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 C.F.R. Part 63, Subpart G § 63.112(e)(3)(ii)	Description: National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
Interpretation Request:	
Title 40 Code of Federal Regulations (C.F.R.) § 63.112(e)(3)(ii) includes a compliance choice for individual Group 1 emission streams that are included in a combined stream. What are the requirements of the combined streams if this compliance choice is designated?	
Determination:	
After reviewing the requirements of 40 C.F.R. § 63.112(e)(3)(ii)(A)-(E), it is evident that the requirements are in order of most stringent to least stringent, hence the requirements of 40 C.F.R. § 63.112(e)(3)(ii)(A) are more stringent than of 40 C.F.R. § 63.112(e)(3)(ii)(E). Therefore, when emissions of different kinds of sources are combined and at least one of the emission streams is classified as Group 1, a source must comply with the most stringent emission limitation (including applicable monitoring, recordkeeping, and reporting) from the Group 1 emission stream which is included in the combined stream.	

Bibliography:

Title 40 C.F.R. Part 63, Subpart G, § 63.112(e)(3) [Revised as of Jan. 7, 1997]

59 Fed. Reg. 19,402 (1994). [Apr. 22, 1994]

61 Fed. Reg. 43,698 (1996). [Aug. 26, 1996]

62 Fed. Reg. 2722 (1997). [Jan. 17, 1997]

64 Fed. Reg. 3169 (2000). [Jan. 20, 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/air/opd/rimhmpg.htm>, or from any of the air rule interpretation team members.