

40 CFR 63 Subpart JJJ - Rule Interpretation Memos

- ! [Typographical error in citation §63.1311\(d\)\(2\)\(i\)](#) [January 30, 1998]
- ! [Typographical error in citation §63.1324\(e\)](#) [February 2, 1998]
- ! [Typographical error in citation §63.1318\(b\)](#) [February 2, 1998]
- ! [Typographical error in citation §63.1320\(c\)](#) [February 2, 1998]
- ! [Typographical error in citation §63.1320\(b\)](#) [May 19, 1998]
- ! [Typographical error in citation §63.1311\(d\)\(4\)](#) [August 4, 1999]

Last Modified: August 4, 1998

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> ___ </u>
40 CFR 63, Subpart JJJ	Description: National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
Interpretation Request:	
Section 63.1311(d)(2)(i) references §§ 63.1311(d)(1)(i)(A) through (B). A review of § 63.1311 showed that these citations do not exist. What should be the correct reference in § 63.1311(d)(2)(i)?	
Determination:	
The correct references should be to §§ 63.1311(d)(1)(i)-(iii). Therefore, the language in § 63.1311(d)(2)(i) should read as follows: “The compressor meets one or more of the criteria specified in paragraphs (d)(1)(i) through (d)(1)(iii) of this section.”	

Bibliography:

- 60 Fed. Reg. 16,090 (1995). [As published on March 29, 1995]
- 61 Fed. Reg. 48,207 (1996). [As published on September 12, 1996]
- 61 Fed. Reg. 54,342 (1996). [As published on October 18, 1996]
- 61 Fed. Reg. 59,849 (1996). [As published on November 25, 1996]
- 61 Fed. Reg. 1835 (1996). [As published on January 14, 1996]
- 62 Fed. Reg. 1869 (1997). [As published on January 14, 1997]
- 62 Fed. Reg. 30,993 (1997). [As published on June 6, 1997]
- 62 Fed. Reg. 31,038 (1997). [As published on June 6, 1997]

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> ___ </u>
40 CFR 63, Subpart JJJ	Description: National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
Interpretation Request:	
Section 63.1324(e) states that "... Owners or operators of a batch process vent or aggregate batch vent stream using a vent system that contains bypass lines that could divert emissions away from a control device used to comply with § 63.1322(a) or § 63.1322(b) shall comply with either paragraph (d)(1), (d)(2), or (d)(3) of this section." Under § 63.1324(d) there is no § 63.1324(d)(3). Given that § 63.1324(d)(3) does not exist, are the references to "(d)(1), (d)(2), or (d)(3)" correct?	
Determination:	
The correct references should be to §§ 63.1324(e)(1), (e)(2), and (e)(3). Therefore, the language in § 63.1324(e) should read as follows "...a vent system that contains bypass lines that could divert emissions away from a control device used to comply with § 63.1322(a) or § 63.1322(b) shall comply with either paragraph (e)(1), (e)(2), or (e)(3) of this section..."	

Bibliography:

60 Fed. Reg. 16,090 (1995).

61 Fed. Reg. 48,207 (1996).

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> __ </u>
40 CFR 63, Subpart JJJ	Description: National Emission Standards for Hazardous Air Pollutants (HAP); Group IV Polymers and Resins
Interpretation Request:	
Section 63.1318(b) references § 63.1316(a)(1)(i). A review of § 63.1316(a) showed that this citation does not exist. What should be the correct reference in § 63.1318(b)?	
Determination:	
<p>It is the agency's opinion that the correct reference in § 63.1318(b) should be § 63.1316(b)(1)(i). Therefore, § 63.1318(b) should read as follows:</p> <p style="margin-left: 40px;">PET Affected Sources Using a Dimethyl Terephthalate Process - Applicability Determination Procedure. Owners or operators shall calculate organic HAP emissions from the collection of material recovery sections at an existing affected source producing poly ethylene terephthalate (PET) using a continuous dimethyl terephthalate process to determine whether § 63.1316(b)(1)(i) is applicable using the procedures specified in either paragraph (b)(1) or (b)(2) of this section.</p>	

Bibliography:

60 Fed. Reg. 16,090 (1995).

61 Fed. Reg. 48,207 (1996).

Hazardous Air Pollutant Emissions from Process Units in the Thermoplastics Manufacturing Industry - Basis and Purpose Document for Final Standards, Summary of Public Comments and Responses, EPA 453/R-96-001b

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> X </u> State Regulation: <u> </u>
40 CFR 63, Subpart JJJ	Description: National Emission Standards for Hazardous Air Pollutants Group IV Polymers and Resins
Interpretation Request:	
Section 63.1320(c) states that "...Each owner or operator complying with § 63.1316(b)(1)(i)(B) or § 63.1316(c)(1)(ii) shall comply with paragraphs (c)(1) and (c)(2) of this section." Under § 63.1320(c) there is also a § 63.1320(c)(3). Given that this citation exists, should the language in § 63.1320(c) also reference (c)(3)?	
Determination:	
It is the agency's opinion that the language in § 63.1320(c) should also include paragraph (c)(3). Therefore, §63.1320(c) should read as follows: Reporting for Affected Sources Complying With Temperature Limits for Final Condensers. Each owner or operator complying with § 63.1316(b)(1)(i)(B) or § 63.1316(c)(1)(ii) shall comply with paragraphs (c)(1), (c)(2), and (c)(3) of this section.	

Bibliography:

60 Fed. Reg. 16,090 (1995).

61 Fed. Reg. 48,207 (1996).

Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u> x </u> State Regulation: <u> </u> Description:
40 CFR 63 Subpart JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
Interpretation Request:	
Section 63.1320(b) reads “Each owner or operator complying with § 63.1316 by demonstrating mass emissions per mass product are less than or equal to the level specified in § 63.1316(a)(1)(i) shall...” Section 63.1316(a)(1)(i) does not exist. What is the correct citation that should be referenced in § 63.1320(b)?	
Determination:	
The correct reference in § 63.1320(b) in regards to demonstrating mass emissions per mass product should be § 63.1316(b)(1)(i) - (iv), instead of the originally referenced 63.1316(a)(1)(i) which is non-existent. Therefore, § 63.1320(b) should read as follows: <i>Reporting for PET [poly ethylene terephthalate] Affected Sources Using a Dimethyl Terephthalate Process.</i> Each owner or operator complying with § 63.1316 by demonstrating that mass emissions per mass product are less than or equal to the level specified in § 63.1316(b)(1)(i) through (iv) shall comply with paragraphs (b)(1) through (b)(3) of this section.	

Bibliography:

60 Fed. Reg. 16,090 (1995). [March 29, 1995]

61 Fed. Reg. 48,207 (1996). [September 12, 1996]

Air Rule Interpretation Summary Form

Code Number	63JJJ.006
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Typographical error in §63.1311(d)(4)	August 4, 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 JJJ § 63.1311(d)(4)	Description: National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
Interpretation Request:	
In the March 9, 1999 [64 Federal Register (Fed. Reg.) 11,535 (1999)] amendments to Title 40 Code of Federal Regulations (C.F.R.) Part 63, § 63.1311(d)(4) states: “The owner or operator who elects to use these provisions shall submit a request for an extension of compliance in accordance with the requirements of paragraph § 63.1311(d)(2)(iv) of this section.” However, 40 C.F.R. § 63.1311(d)(2)(iv) does not exist. Is the correct citation 40 C.F.R. § 63.1311(d)(2)(ii)?	
Determination:	
On Page 11,656 of the volume 64 Fed. Reg. (1999), the reference to 40 C.F.R. § 63.1311(d)(2)(iv) in 40 C.F.R. § 63.1311(d)(4) should be 40 C.F.R. § 63.1311(d)(2)(ii).	

Bibliography:

Title 40 C.F.R. § 63.1311(d)(4) (September 12, 1996).

64 Fed. Reg. 11,535 (1999) (March 9, 1999).

Title 40 C.F.R. § 63.1311(d)(4) (July 1, 1998).