

## § 63.100 **Applicability** and designation of source.

(a) This subpart provides [applicability](#) provisions, definitions, and other general provisions that are applicable to subparts G and H of this part.

(b) Except as provided in paragraphs (b)(4) and (c) of this section, the provisions of subparts F, G, and H of this part apply to chemical manufacturing [process units](#) that meet all the criteria specified in paragraphs (b)(1), (b)(2), and (b)(3) of this section:

(1) [Manufacture](#) as a primary [product](#) one or more of the chemicals listed in paragraphs (b)(1)(i) or (b)(1)(ii) of this section.

(i) One or more of the chemicals listed in table 1 of this subpart; or

(ii) One or more of the chemicals listed in paragraphs (b)(1)(ii)(A) or (b)(1)(ii)(B) of this section:

(A) Tetrahydrobenzaldehyde (CAS Number 100-50-5); or

(B) Crotonaldehyde (CAS Number 123-73-9).

(2) Use as a [reactant](#) or [manufacture](#) as a [product](#), or [co-product](#), one or more of the organic [hazardous air pollutants](#) listed in table 2 of this subpart;

(3) Are located at a [plant site](#) that is a [major source](#) as defined in section 112(a) of [the Act](#).

(4) The [owner or operator](#) of a chemical manufacturing processing unit is exempt from all [requirements](#) of subparts F, G, and H of this part until not later than April 22, 1997 if the [owner or operator](#) certifies, in a [notification](#) to the appropriate [EPA](#) Regional Office, not later than May 14, 1996, that the [plant site](#) at which the chemical manufacturing processing unit is located emits, and will continue to emit, during any 12-month period, less than 10 tons per [year](#) of any individual [hazardous air pollutants](#) (HAP), and less than 25 tons per [year](#) of any combination of HAP.

(i) If such a determination is based on limitations and conditions that are not [federally enforceable](#) (as defined in [subpart A](#) of this part), the [owner or operator](#) shall document the basis for the determination as specified in paragraphs (b)(4)(i)(A) through (b)(4)(i)(C) and comply with the [recordkeeping](#) requirement in 63.103(f).

(A) The [owner or operator](#) shall identify all HAP [emission points](#) at the [plant site](#), including those [emission points](#) subject to and [emission points](#) not subject to subparts F, G, and H;

(B) The [owner or operator](#) shall calculate the amount of annual HAP emissions released from each [emission point](#) at the [plant site](#), using acceptable measurement or estimating techniques for maximum expected operating conditions at the [plant site](#). Examples of estimating [procedures](#) that are considered acceptable include the calculation [procedures](#) in § 63.150 of subpart G, the early [reduction](#) demonstration [procedures](#) specified in §§ 63.74 (c)(2), (c)(3), (d)(2), (d)(3), and (g), or accepted

12 March 2019

engineering practices. If the total annual HAP emissions for the [plant site](#) are annually reported under Emergency Planning and Community Right-to-Know Act (EPCRA) section 313, then such reported annual emissions may be used to satisfy the [requirements](#) of [§ 63.100\(b\)\(4\)\(i\)\(B\)](#).

**(C)** The [owner or operator](#) shall sum the amount of annual HAP emissions from all [emission points](#) on the [plant site](#). If the total emissions of any one HAP are less than 10 tons per [year](#) and the total emissions of any combination of HAP are less than 25 tons per [year](#), the [plant site](#) qualifies for the exemption described in [paragraph \(b\)\(4\)](#) of this section, provided that emissions are kept below these thresholds.

**(ii)** If such a determination is based on limitations and conditions that are [federally enforceable](#) (as defined in [subpart A](#) of this part), the [owner or operator](#) is not subject to the provisions of [paragraph \(b\)\(4\)](#) of this section.

**(c)** The [owner or operator](#) of a [chemical manufacturing process unit](#) that meets the criteria specified in paragraphs (b)(1) and (b)(3) of this section but does not use as a [reactant](#) or [manufacture](#) as a [product](#) or [co-product](#), any organic [hazardous air pollutant](#) listed in table 2 of this subpart shall comply only with the [requirements](#) of [§ 63.103\(e\)](#) of this subpart. To comply with this subpart, such chemical manufacturing [process units](#) shall not be required to comply with the provisions of subpart A of this part.

**(d)** The primary [product](#) of a [chemical manufacturing process unit](#) shall be determined according to the [procedures](#) specified in paragraphs (d)(1), (d)(2), (d)(3), and (d)(4) of this section.

**(1)** If a [chemical manufacturing process unit](#) produces more than one intended chemical [product](#), the [product](#) with the greatest annual design capacity on a mass basis determines the primary [product](#) of the process.

**(2)** If a [chemical manufacturing process unit](#) has two or more [products](#) that have the same maximum annual design capacity on a mass basis and if one of those chemicals is listed in table 1 of this subpart, then the listed chemical is considered the primary [product](#) and the [chemical manufacturing process unit](#) is subject to this subpart. If more than one of the [products](#) is listed in table 1 of this subpart, then the [owner or operator](#) may designate as the primary [product](#) any of the listed chemicals and the [chemical manufacturing process unit](#) is subject to this subpart.

**(3)** For chemical manufacturing [process units](#) that are designed and operated as [flexible operation units](#) producing one or more chemicals listed in table 1 of this subpart, the primary [product](#) shall be determined for [existing sources](#) based on the expected utilization for the five [years](#) following April 22, 1994 and for [new sources](#) based on the expected utilization for the first five [years](#) after [initial start-up](#).

**(i)** If the predominant use of the [flexible operation unit](#), as described in paragraphs (d)(3)(i)(A) and (d)(3)(i)(B) of this section, is to produce one or more chemicals listed in table 1 of this subpart, then

12 March 2019

the [flexible operation unit](#) shall be subject to the provisions of subparts F, G, and H of this part.

**(A)** If the [flexible operation unit](#) produces one [product](#) for the greatest annual operating time, then that [product](#) shall represent the primary [product](#) of the [flexible operation unit](#).

**(B)** If the [flexible operation unit](#) produces multiple chemicals equally based on operating time, then the [product](#) with the greatest annual production on a mass basis shall represent the primary [product](#) of the [flexible operation unit](#).

**(ii)** The determination of [applicability](#) of this subpart to chemical manufacturing [process units](#) that are designed and operated as [flexible operation units](#) shall be reported as part of an [operating permit](#) application or as otherwise specified by the [permitting authority](#).

**(4)** Notwithstanding the provisions of [paragraph \(d\)\(3\)](#) of this section, for chemical manufacturing [process units](#) that are designed and operated as [flexible operation units](#) producing a chemical listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section, the primary [product](#) shall be determined for [existing sources](#) based on the expected utilization for the five [years](#) following May 12, 1998 and for [new sources](#) based on the expected utilization for the first five [years](#) after [initial start-up](#).

**(i)** The predominant use of the [flexible operation unit](#) shall be determined according to paragraphs (d)(3)(i)(A) and (d)(3)(i)(B) of this section. If the predominant use is to produce one of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section, then the [flexible operation unit](#) shall be subject to the provisions of this subpart and subparts G and H of this part.

**(ii)** The determination of [applicability](#) of this subpart to chemical manufacturing [process units](#) that are designed and operated as [flexible operation units](#) shall be reported as part of an [operating permit](#) application or as otherwise specified by the [permitting authority](#).

**(e)** The source to which this subpart applies is the collection of all chemical manufacturing [process units](#) and the associated [equipment](#) at a [major source](#) that meet the criteria specified in paragraphs (b)(1) through (3) of this section. The source includes the process vents; [storage](#) vessels; transfer racks; [waste](#) management units; [maintenance wastewater](#); heat exchange systems; [equipment](#) identified in [§ 63.149](#); and pumps, compressors, agitators, pressure relief devices, [sampling](#) connection systems, open-ended valves or lines, valves, connectors, instrumentation systems, surge control vessels, and bottoms receivers that are associated with that collection of chemical manufacturing process units. The source also includes [equipment](#) required by, or utilized as a method of [compliance](#) with, subparts F, G, or H of this part which may include [control devices](#) and recovery devices.

12 March 2019

- (1)** This subpart applies to [maintenance wastewater](#) and [heat exchange systems](#) within a source that is subject to this subpart.
- (2)** This subpart F and [subpart G](#) of this part apply to process vents, [storage](#) vessels, transfer racks, [equipment](#) identified in [§ 63.149](#) of subpart G of this part, and [wastewater](#) streams and associated [treatment](#) residuals within a source that is subject to this subpart.
- (3)** This subpart F and [subpart H](#) of this part apply to pumps, compressors, agitators, pressure relief devices, [sampling](#) connection systems, open-ended valves or lines, valves, connectors, instrumentation systems, surge control vessels, and bottoms receivers within a source that is subject to this subpart. If specific items of [equipment](#), comprising part of a [chemical manufacturing process unit](#) subject to this subpart, are managed by different administrative organizations (e.g., different companies, affiliates, departments, divisions, etc.), those items of [equipment](#) may be aggregated with any [chemical manufacturing process unit](#) within the source for all purposes under [subpart H](#) of this part, providing there is no delay in the applicable [compliance date](#) in [§ 63.100\(k\)](#).
- (f)** The source includes the [emission points](#) listed in paragraphs (f)(1) through (f)(11) of this section, but those [emission points](#) are not subject to the [requirements](#) of this subpart F and subparts G and H of this part. This subpart does not require [emission points](#) that are listed in paragraphs (f)(1) through (f)(11) of this section to comply with the provisions of [subpart A](#) of this part.
- (1)** [Equipment](#) that is located within a [chemical manufacturing process unit](#) that is subject to this subpart but the [equipment](#) does not contain organic hazardous air pollutants.
- (2)** Stormwater from segregated sewers;
- (3)** Water from fire-fighting and deluge systems in segregated sewers;
- (4)** Spills;
- (5)** Water from safety showers;
- (6)** Water from testing of deluge systems;
- (7)** Water from testing of firefighting systems;
- (8)** [Vessels](#) storing organic liquids that contain organic [hazardous air pollutants](#) only as impurities;
- (9)** Loading racks, loading arms, or loading hoses that only transfer liquids [containing](#) organic [hazardous air pollutants](#) as impurities;
- (10)** Loading racks, loading arms, or loading hoses that vapor balance during all loading operations; and
- (11)** [Equipment](#) that is intended to operate in organic [hazardous air pollutant](#) service, as defined in [§ 63.161](#) of subpart H of this part, for less than 300 hours during the calendar [year](#).

**(g)** The [owner or operator](#) shall follow the [procedures](#) specified in paragraphs (g)(1) through (g)(4) of this section to determine whether a [storage vessel](#) is part of the source to which this subpart applies.

**(1)** Where a [storage vessel](#) is dedicated to a [chemical manufacturing process unit](#), the [storage vessel](#) shall be considered part of that [chemical manufacturing process unit](#).

**(i)** If the [chemical manufacturing process unit](#) is subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the [storage vessel](#) is part of the source to which this subpart applies.

**(ii)** If the [chemical manufacturing process unit](#) is not subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the [storage vessel](#) is not part of the source to which this subpart applies.

**(2)** If a [storage vessel](#) is not dedicated to a single [chemical manufacturing process unit](#), then the [applicability](#) of this subpart F and [subpart G](#) of this part shall be determined according to the provisions in paragraphs (g)(2)(i) through (g)(2)(iii) of this section.

**(i)** If a [storage vessel](#) is shared among chemical manufacturing [process units](#) and one of the [process units](#) has the predominant use, as determined by paragraph (g)(2)(i)(A) and (g)(2)(i)(B) of this section, then the [storage vessel](#) is part of that [chemical manufacturing process unit](#).

**(A)** If the greatest input into the [storage vessel](#) is from a [chemical manufacturing process unit](#) that is located on the same [plant site](#), then that [chemical manufacturing process unit](#) has the predominant use.

**(B)** If the greatest input into the [storage vessel](#) is provided from a [chemical manufacturing process unit](#) that is not located on the same [plant site](#), then the predominant use is the [chemical manufacturing process unit](#) on the same [plant site](#) that receives the greatest amount of material from the [storage vessel](#).

**(ii)** If a [storage vessel](#) is shared among chemical manufacturing [process units](#) so that there is no single predominant use, and at least one of those chemical manufacturing [process units](#) is subject to this subpart, the [storage vessel](#) shall be considered to be part of the [chemical manufacturing process unit](#) that is subject to this subpart. If more than one [chemical manufacturing process unit](#) is subject to this subpart, the [owner or operator](#) may assign the [storage vessel](#) to any of the chemical manufacturing [process units](#) subject to this subpart.

**(iii)** If the predominant use of a [storage vessel](#) varies from [year to year](#), then the [applicability](#) of this subpart shall be determined according to the criteria in paragraphs (g)(2)(iii)(A) and (g)(2)(iii)(B) of this section, as applicable. This determination shall be reported as part of an [operating permit](#) application or as otherwise specified by the [permitting authority](#).

12 March 2019

**(A)** For chemical manufacturing [process units](#) that produce one or more of the chemicals listed in table 1 of this subpart and meet the criteria in paragraphs (b)(2) and (b)(3) of this section, the [applicability](#) shall be based on the utilization that occurred during the 12-month period preceding April 22, 1994.

**(B)** For chemical manufacturing [process units](#) that produce one or more of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section and meet the criteria in paragraphs (b)(2) and (b)(3) of this section, the [applicability](#) shall be based on the utilization that occurred during the 12-month period preceding May 12, 1998.

**(iv)** If there is a change in the material stored in the [storage vessel](#), the [owner or operator](#) shall reevaluate the [applicability](#) of this subpart to the [vessel](#).

**(3)** Where a [storage vessel](#) is located at a [major source](#) that includes one or more chemical manufacturing [process units](#) which place material into, or receive materials from the [storage vessel](#), but the [storage vessel](#) is located in a [tank farm](#) (including a marine [tank farm](#)), the [applicability](#) of this subpart F and [subpart G](#) of this part shall be determined according to the provisions in paragraphs (g)(3)(i) through (g)(3)(iv) of this section.

**(i)** The [storage vessel](#) may only be assigned to a [chemical manufacturing process unit](#) that utilizes the [storage vessel](#) and does not have an intervening [storage vessel](#) for that [product](#) (or raw material, as appropriate). With respect to any [chemical manufacturing process unit](#), an intervening [storage vessel](#) means a [storage vessel](#) connected by hard-piping to the [chemical manufacturing process unit](#) and to the [storage vessel](#) in the [tank farm](#) so that [product](#) or raw material entering or leaving the [chemical manufacturing process unit](#) flows into (or from) the intervening [storage vessel](#) and does not flow directly into (or from) the [storage vessel](#) in the [tank farm](#).

**(ii)** If there is no [chemical manufacturing process unit](#) at the [major source](#) that meets the criteria of [paragraph \(g\)\(3\)\(i\)](#) of this section with respect to a [storage vessel](#), this subpart F and subpart G of this part do not apply to the [storage vessel](#).

**(iii)** If there is only one [chemical manufacturing process unit](#) at the [major source](#) that meets the criteria of [paragraph \(g\)\(3\)\(i\)](#) of this section with respect to a [storage vessel](#), the [storage vessel](#) shall be assigned to that [chemical manufacturing process unit](#). [Applicability](#) of this subpart F and subpart G to this part to the [storage vessel](#) shall then be determined according to the provisions of [paragraph \(b\)](#) of this section.

**(iv)** If there are two or more chemical manufacturing [process units](#) at the [major source](#) that meet the criteria of [paragraph \(g\)\(3\)\(i\)](#) of this section with respect to a [storage vessel](#), the [storage vessel](#) shall be assigned to one of those chemical manufacturing [process units](#) according to the provisions of [paragraph \(g\)\(2\)](#) of this section. The predominant use shall be determined among only those chemical

12 March 2019

manufacturing [process units](#) that meet the criteria of [paragraph \(g\)\(3\)\(i\)](#) of this section. [Applicability](#) of this subpart F and subpart G of this part to the [storage vessel](#) shall then be determined according to the provisions of [paragraph \(b\)](#) of this section.

**(4)** If the [storage vessel](#) begins receiving material from (or sending material to) another [chemical manufacturing process unit](#), or ceases to receive material from (or send material to) a [chemical manufacturing process unit](#), or if the [applicability](#) of this subpart F and [subpart G](#) of this part to a [storage vessel](#) has been determined according to the provisions of paragraphs (g)(2)(i) and (g)(2)(ii) of this section and there is a change so that the predominant use may reasonably have changed, the [owner or operator](#) shall reevaluate the [applicability](#) of this subpart to the [storage vessel](#).

**(h)** The [owner or operator](#) shall follow the [procedures](#) specified in paragraphs (h)(1) and (h)(2) of this section to determine whether the arms and hoses in a [loading rack](#) are part of the source to which this subpart applies.

**(1)** Where a [loading rack](#) is dedicated to a [chemical manufacturing process unit](#), the [loading rack](#) shall be considered part of that specific [chemical manufacturing process unit](#).

**(i)** If the [chemical manufacturing process unit](#) is subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section and the [loading rack](#) does not meet the criteria specified in paragraphs (f)(9) and (f)(10) of this section, then the [loading rack](#) is considered a [transfer rack](#) (as defined in [§ 63.101](#) of this subpart) and is part of the source to which this subpart applies.

**(ii)** If the [chemical manufacturing process unit](#) is not subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the [loading rack](#) is not considered a [transfer rack](#) (as defined in [§ 63.101](#) of this subpart) and is not a part of the source to which this subpart applies.

**(2)** If a [loading rack](#) is shared among chemical manufacturing process units, then the [applicability](#) of this subpart F and [subpart G](#) of this part shall be determined at each loading arm or loading hose according to the provisions in paragraphs (h)(2)(i) through (h)(2)(iv) of this section.

**(i)** Each loading arm or loading hose that is dedicated to the transfer of liquid organic [hazardous air pollutants](#) listed in table 2 of this subpart from a [chemical manufacturing process unit](#) to which this subpart applies is part of that [chemical manufacturing process unit](#) and is part of the source to which this subpart applies unless the loading arm or loading hose meets the criteria specified in paragraphs (f)(9) or (f)(10) of this section.

**(ii)** If a loading arm or loading hose is shared among chemical manufacturing [process units](#), and one of the chemical manufacturing [process units](#) provides the greatest amount of the material that is loaded by the loading arm or loading hose, then the

12 March 2019

loading arm or loading hose is part of that [chemical manufacturing process unit](#).

**(A)** If the [chemical manufacturing process unit](#) is subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the loading arm or loading hose is part of the source to which this subpart applies unless the loading arm or loading hose meets the criteria specified in paragraphs (f)(9) or (f)(10) of this section.

**(B)** If the [chemical manufacturing process unit](#) is not subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the loading arm or loading hose is not part of the source to which this subpart applies.

**(iii)** If a loading arm or loading hose is shared among chemical manufacturing [process units](#) so that there is no single predominant use as described in [paragraph \(h\)\(2\)\(ii\)](#) of this section and at least one of those chemical manufacturing [process units](#) is subject to this subpart, then the loading arm or hose is part of the [chemical manufacturing process unit](#) that is subject to this subpart. If more than one of the chemical manufacturing [process units](#) is subject to this subpart, the [owner or operator](#) may assign the loading arm or loading hose to any of the chemical manufacturing [process units](#) subject to this subpart.

**(iv)** If the predominant use of a loading arm or loading hose varies from [year to year](#), then the [applicability](#) of this subpart shall be determined according to the criteria in paragraphs (h)(2)(iv)(A) and (h)(2)(iv)(B) of this section, as applicable. This determination shall be reported as part of an [operating permit](#) application or as otherwise specified by the [permitting authority](#).

**(A)** For chemical manufacturing [process units](#) that produce one or more of the chemicals listed in table 1 of this subpart and meet the criteria in paragraphs (b)(2) and (b)(3) of this section, the [applicability](#) shall be based on the utilization that occurred during the 12-month period preceding April 22, 1994.

**(B)** For chemical manufacturing [process units](#) that produce one or more of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section and meet the criteria in paragraphs (b)(2) and (b)(3) of this section, the [applicability](#) shall be based on the utilization that occurred during the [year](#) preceding May 12, 1998.

**(3)** If a [loading rack](#) that was dedicated to a single [chemical manufacturing process unit](#) begins to serve another [chemical manufacturing process unit](#), or if [applicability](#) was determined under the provisions of paragraphs (h)(2)(i) through (h)(2)(iii) of this section and there is a change so that the predominant use may reasonably have changed, the [owner or operator](#) shall reevaluate the [applicability](#) of this subpart to the [loading rack](#), loading arm, or loading hose.

**(i)** Except as provided in [paragraph \(i\)\(4\)](#) of this section, the [owner or operator](#) shall follow the [procedures](#) specified in paragraphs (i)(1)



12 March 2019

through (i)(3) and (i)(5) of this section to determine whether the vent(s) from a [distillation unit](#) is part of the source to which this subpart applies.

**(1)** Where a [distillation unit](#) is dedicated to a [chemical manufacturing process unit](#), the distillation column shall be considered part of that [chemical manufacturing process unit](#).

**(i)** If the [chemical manufacturing process unit](#) is subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the [distillation unit](#) is part of the source to which this subpart applies.

**(ii)** If the [chemical manufacturing process unit](#) is not subject to this subpart according to the criteria specified in [paragraph \(b\)](#) of this section, then the [distillation unit](#) is not part of the source to which this subpart applies.

**(2)** If a [distillation unit](#) is not dedicated to a single [chemical manufacturing process unit](#), then the [applicability](#) of this subpart and [subpart G](#) of this part shall be determined according to the provisions in paragraphs (i)(2)(i) through (i)(2)(iv) of this section.

**(i)** If the greatest input to the [distillation unit](#) is from a [chemical manufacturing process unit](#) located on the same [plant site](#), then the [distillation unit](#) shall be assigned to that [chemical manufacturing process unit](#).

**(ii)** If the greatest input to the [distillation unit](#) is provided from a [chemical manufacturing process unit](#) that is not located on the same [plant site](#), then the [distillation unit](#) shall be assigned to the [chemical manufacturing process unit](#) located at the same [plant site](#) that receives the greatest amount of material from the [distillation unit](#).

**(iii)** If a [distillation unit](#) is shared among chemical manufacturing [process units](#) so that there is no single predominant use as described in paragraphs (i)(2)(i) and (i)(2)(ii) of this section, and at least one of those chemical manufacturing [process units](#) is subject to this subpart, the [distillation unit](#) shall be assigned to the [chemical manufacturing process unit](#) that is subject to this subpart. If more than one [chemical manufacturing process unit](#) is subject to this subpart, the [owner or operator](#) may assign the [distillation unit](#) to any of the chemical manufacturing [process units](#) subject to this subpart.

**(iv)** If the predominant use of a [distillation unit](#) varies from [year to year](#), then the [applicability](#) of this subpart shall be determined according to the criteria in paragraphs (i)(2)(iv)(A) and (i)(2)(iv)(B), as applicable. This determination shall be included as part of an [operating permit](#) application or as otherwise specified by the [permitting authority](#).

**(A)** For chemical manufacturing [process units](#) that produce one or more of the chemicals listed in table 1 of this subpart and meet the criteria in paragraphs (b)(2) and (b)(3) of this section,

12 March 2019

the [applicability](#) shall be based on the utilization that occurred during the [year](#) preceding April 22, 1994.

**(B)** For chemical manufacturing [process units](#) that produce one or more of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section and meet the criteria in paragraphs (b)(2) and (b)(3) of this section, the [applicability](#) shall be based on the utilization that occurred during the [year](#) preceding May 12, 1998.

**(3)** If the [chemical manufacturing process unit](#) to which the [distillation unit](#) is assigned is subject to this subpart, then each vent from the individual [distillation unit](#) shall be considered separately to determine whether it is a [process vent](#) (as defined in [§ 63.101](#) of this subpart). Each vent that is a [process vent](#) is part of the source to which this subpart applies.

**(4)** If the [distillation unit](#) is part of one of the chemical manufacturing [process units](#) listed in paragraphs (i)(4)(i) through (i)(4)(iii) of this section, then each vent from the individual [distillation unit](#) shall be considered separately to determine whether it is a [process vent](#) (as defined in [§ 63.101](#) of this subpart). Each vent that is a [process vent](#) is part of the source to which this subpart applies:

- (i)** The Aromex unit that produces benzene, toluene, and xylene;
- (ii)** The unit that produces hexane; or
- (iii)** The unit that produces cyclohexane.

**(5)** If a [distillation unit](#) that was dedicated to a single [chemical manufacturing process unit](#), or that was part of a chemical manufacturing unit identified in paragraphs (i)(4)(i) through (i)(4)(iii) of this section, begins to serve another [chemical manufacturing process unit](#), or if [applicability](#) was determined under the provisions of paragraphs (i)(2)(i) through (i)(2)(iii) of this section and there is a change so that the predominant use may reasonably have changed, the [owner or operator](#) shall reevaluate the [applicability](#) of this subpart to the [distillation unit](#).

**(j)** The provisions of subparts F, G, and H of this part do not apply to the processes specified in paragraphs (j)(1) through (j)(6) of this section. Subparts F, G, and H do not require processes specified in paragraphs (j)(1) through (j)(6) to comply with the provisions of [subpart A](#) of this part.

**(1)** Research and development facilities, regardless of whether the facilities are located at the same [plant site](#) as a [chemical manufacturing process unit](#) that is subject to the provisions of subparts F, G, or H of this part.

**(2)** [Petroleum refining process](#) units, regardless of whether the units supply feedstocks that include chemicals listed in table 1 of this subpart to chemical manufacturing [process units](#) that are subject to the provisions of subparts F, G, or H of this part.

**(3)** Ethylene [process units](#), regardless of whether the units supply feedstocks that include chemicals listed in table 1 of this subpart to

12 March 2019

chemical manufacturing [process units](#) that are subject to the provisions of subpart F, G, or H of this part.

**(4)** [Batch process vents](#) within a [chemical manufacturing process unit](#).

**(5)** Chemical manufacturing [process units](#) that are located in coke [by-product](#) recovery plants.

**(6)** Solvent reclamation, recovery, or recycling [operations](#) at [hazardous waste](#) TSDF facilities requiring a permit under [40 CFR part 270](#) that are separate entities and not part of a SOCM [chemical manufacturing process unit](#).

**(k)** Except as provided in paragraphs (l), (m), and (p) of this section, sources subject to subparts F, G, or H of this part are required to achieve [compliance](#) on or before the dates specified in paragraphs (k)(1) through (k)(8) of this section.

**(1)**

**(i)** [New sources](#) that commence [construction](#) or [reconstruction](#) after December 31, 1992, but before August 27, 1996 shall be in [compliance](#) with this subpart F, subparts G and H of this part upon [initial start-up](#) or by April 22, 1994, whichever is later, as provided in [§ 63.6\(b\)](#) of subpart A of this part, and further, where [start-up](#) occurs before January 17, 1997 shall also be in [compliance](#) with this subpart F and subparts G and H of this part (as amended on January 17, 1997) by January 17, 1997, except that, with respect to all [new sources](#) that [commenced construction](#) or [reconstruction](#) after December 31, 1992, and before August 27, 1996:

**(A)** [Heat exchange systems](#) and [maintenance wastewater](#), that are part of a [new source](#) on which [construction](#) or [reconstruction commenced](#) after December 31, 1992, but before August 27, 1996, shall be in [compliance](#) with this subpart F no later than [initial start-up](#) or 180 days after January 17, 1997, whichever is later;

**(B)** [Process wastewater](#) streams and [equipment](#) subject to [§ 63.149](#), that are part of a [new source](#) on which [construction](#) or [reconstruction commenced](#) after December 31, 1992, but before August 27, 1996, shall be in [compliance](#) with this subpart F and [subpart G](#) of this part no later than [initial start-up](#) or 180 days after January 17, 1997, whichever is later; and

**(ii)** [New sources](#) that commence [construction](#) after August 26, 1996 shall be in [compliance](#) with this subpart F, subparts G and H of this part upon [initial start-up](#) or by January 17, 1997, whichever is later.

**(2)** [Existing sources](#) shall be in [compliance](#) with this subpart F and [subpart G](#) of this part no later than the dates specified in paragraphs (k)(2)(i) and (k)(2)(ii) of this section, unless an extension has been granted by the [Administrator](#) as provided in [§ 63.151\(a\)\(6\)](#) of subpart G of this part or granted by the [permitting authority](#) as provided in [§ 63.6\(i\)](#) of subpart A of this part.

12 March 2019

(i) Process vents, [storage](#) vessels, and [transfer racks](#) at an [existing source](#) shall be in [compliance](#) with the applicable sections of this subpart and [subpart G](#) of this part no later than April 22, 1997.

(ii) [Heat exchange systems](#) and [maintenance wastewater](#) shall be in [compliance](#) with the applicable sections of this subpart, and [equipment](#) subject to [§ 63.149](#) and process [wastewater](#) streams shall be in [compliance](#) with the applicable sections of this subpart and [subpart G](#) of this part no later than April 22, 1999, except as provided in paragraphs (k)(2)(ii)(A) and (k)(2)(ii)(B) of this section.

(A) If a [process wastewater](#) stream or [equipment](#) subject to [§ 63.149](#) is subject to the control [requirements](#) of [subpart G](#) of this part due to the contribution of nitrobenzene to the total [annual average concentration](#) (as determined according to the [procedures](#) in [§ 63.144\(b\)](#) of subpart G of this part), the [wastewater](#) stream shall be in [compliance](#) no later than January 18, 2000.

(B) If a [process wastewater](#) stream is used to generate credits in an emissions average in accordance with [§ 63.150](#) of subpart G of this part, the [process wastewater](#) stream shall be in [compliance](#) with the applicable sections of subpart G of this part no later than April 22, 1997.

(3) [Existing sources](#) shall be in [compliance](#) with [subpart H](#) of this part no later than the dates specified in paragraphs (k)(3)(i) through (k)(3)(v) of this section, except as provided for in paragraphs (k)(4) through (k)(8) of this section, unless an extension has been granted by the [Administrator](#) as provided in [§ 63.182\(a\)\(6\)](#) of this part or granted by the [permitting authority](#) as provided in [§ 63.6\(i\)](#) of subpart A of this part. The group designation for each [process unit](#) is indicated in table 1 of this subpart.

(i) Group I: October 24, 1994.

(ii) Group II: January 23, 1995.

(iii) Group III: April 24, 1995.

(iv) Group IV: July 24, 1995.

(v) Group V: October 23, 1995.

(4) [Existing](#) chemical manufacturing [process units](#) in Groups I and II as identified in table 1 of this subpart shall be in [compliance](#) with the [requirements](#) of [§ 63.164](#) of subpart H no later than May 10, 1995, for any compressor meeting one or more of the criteria in paragraphs (k)(4)(i) through (k)(4)(iv) of this section, if the work can be accomplished without a [process unit shutdown](#), as defined in [§ 63.161](#) in subpart H.

(i) The [seal](#) system will be replaced;

(ii) A barrier fluid system will be installed;

(iii) A [new](#) barrier fluid will be utilized which requires changes to the [existing](#) barrier fluid system; or

12 March 2019

(iv) The compressor must be modified to permit connecting the compressor to a closed vent system.

(5) Existing chemical manufacturing process units shall be in compliance with the requirements of § 63.164 in subpart H no later than 1 year after the applicable compliance date specified in paragraph (k)(3) of this section, for any compressor meeting the criteria in paragraphs (k)(5)(i) through (k)(5)(iv) of this section.

(i) The compressor meets one or more of the criteria specified in paragraphs (k)(4) (i) through (iv) of this section;

(ii) The work can be accomplished without a process unit shutdown as defined in § 63.161 of subpart H;

(iii) The additional time is actually necessary due to the unavailability of parts beyond the control of the owner or operator; and

(iv) The owner or operator submits a request to the appropriate EPA Regional Office at the addresses listed in § 63.13 of subpart A of this part no later than 45 days before the applicable compliance date in paragraph (k)(3) of this section, but in no event earlier than May 10, 1995. The request shall include the information specified in paragraphs (k)(5)(iv)(A) through (k)(5)(iv)(E) of this section. Unless the EPA Regional Office objects to the request within 30 days after receipt, the request shall be deemed approved.

(A) The name and address of the owner or operator and the address of the existing source if it differs from the address of the owner or operator;

(B) The name, address, and telephone number of a contact person for further information;

(C) An identification of the chemical manufacturing process unit, and of the specific equipment for which additional compliance time is required;

(D) The reason compliance can not reasonably be achieved by the applicable date specified in paragraphs (k)(3)(i) through (k)(3)(v) of this section; and

(E) The date by which the owner or operator expects to achieve compliance.

(6)

(i) If compliance with the compressor provisions of § 63.164 of subpart H of this part can not reasonably be achieved without a process unit shutdown, as defined in § 63.161 of subpart H, the owner or operator shall achieve compliance no later than April 22, 1996, except as provided for in paragraph (k)(6)(ii) of this section. The owner or operator who elects to use this provision shall comply with the requirements of § 63.103(g) of this subpart.

(ii) If compliance with the compressor provisions of § 63.164 of subpart H of this part can not be achieved without replacing the compressor or recasting the distance piece, the owner or

12 March 2019

[operator](#) shall achieve [compliance](#) no later than April 22, 1997.

The [owner or operator](#) who elects to use this provision shall also comply with the [requirements](#) of [§ 63.103\(g\)](#) of this subpart.

**(7)** [Existing sources](#) shall be in [compliance](#) with the provisions of [§ 63.170](#) of subpart H no later than April 22, 1997.

**(8)** If an [owner or operator](#) of a [chemical manufacturing process unit](#) subject to the provisions of subparts F, G, and H of part 63 plans to implement [pollution prevention](#) measures to eliminate the use or production of HAP listed in table 2 of this subpart by October 23, 1995, the provisions of subpart H do not apply regardless of the [compliance dates](#) specified in [paragraph \(k\)\(3\)](#) of this section. The [owner or operator](#) who elects to use this provision shall comply with the [requirements](#) of [§ 63.103\(h\)](#) of this subpart.

**(9)** All terms in this subpart F or [subpart G](#) of this part that define a period of time for completion of required tasks (e.g., weekly, monthly, quarterly, annual), unless specified otherwise in the section or subsection that imposes the requirement, refer to the standard calendar periods.

**(i)** Notwithstanding time periods specified in this subpart F or [subpart G](#) of this part for completion of required tasks, such time periods may be changed by mutual agreement between the [owner or operator](#) and the [Administrator](#), as specified in [subpart A](#) of this part (e.g., a period could begin on the [compliance date](#) or another date, rather than on the first day of the standard calendar period). For each time period that is changed by agreement, the revised period shall remain in effect until it is changed. A [new](#) request is not necessary for each recurring period.

**(ii)** Where the period specified for [compliance](#) is a standard calendar period, if the initial [compliance date](#) occurs after the beginning of the period, [compliance](#) shall be required according to the schedule specified in paragraphs (k)(9)(ii)(A) or (k)(9)(ii)(B) of this section, as appropriate.

**(A)** [Compliance](#) shall be required before the end of the standard calendar period within which the [compliance](#) deadline occurs, if there remain at least 3 days for tasks that must be performed weekly, at least 2 weeks for tasks that must be performed monthly, at least 1 month for tasks that must be performed each quarter, or at least 3 months for tasks that must be performed annually; or

**(B)** In all other cases, [compliance](#) shall be required before the end of the first full standard calendar period after the period within which the initial [compliance](#) deadline occurs.

**(iii)** In all instances where a provision of this subpart F or [subpart G](#) of this part requires completion of a task during each of multiple successive periods, an [owner or operator](#) may perform the required task at any time during the specified period, provided the task is conducted at a reasonable interval after completion of the task during the previous period.

**(I)**

**(1)** If an additional [chemical manufacturing process unit](#) meeting the criteria specified in [paragraph \(b\)](#) of this section is added to a [plant site](#) that is a [major source](#) as defined in section 112(a) of [the Act](#), the addition shall be subject to the [requirements](#) for a [new source](#) in subparts F, G, and H of this part if:

**(i)** It is an addition that meets the definition of [construction](#) in [§ 63.2](#) of subpart A of this part;

**(ii)**

**(A)** Such [construction commenced](#) after December 31, 1992 for chemical manufacturing [process units](#) that produce as a primary [product](#) one or more of the chemicals listed in table 1 of this subpart;

**(B)** Such [construction commenced](#) after August 22, 1997 for chemical manufacturing [process units](#) that produce as a primary [product](#) one or more of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section; and

**(iii)** The addition has the [potential to emit](#) 10 tons per [year](#) or more of any HAP or 25 tons per [year](#) or more of any combination of HAP's, unless the [Administrator](#) establishes a lesser quantity.

**(2)** If any change is made to a [chemical manufacturing process unit](#) subject to this subpart, the change shall be subject to the [requirements](#) of a [new source](#) in subparts F, G, and H of this part if:

**(i)** It is a change that meets the definition of [reconstruction](#) in [§ 63.2](#) of subpart A of this part; and

**(ii)**

**(A)** Such [reconstruction commenced](#) after December 31, 1992 for chemical manufacturing [process units](#) that produce as a primary [product](#) one or more of the chemicals listed in table 1 of this subpart; and

**(B)** Such [construction commenced](#) after August 22, 1997 for chemical manufacturing [process units](#) that produce as a primary [product](#) one or more of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section.

**(3)** If an additional [chemical manufacturing process unit](#) is added to a [plant site](#) or a change is made to a [chemical manufacturing process unit](#) and the addition or change is determined to be subject to the [new source requirements](#) according to paragraph (I)(1) or (I)(2) of this section:

**(i)** The [new](#) or reconstructed source shall be in [compliance](#) with the [new source requirements](#) of subparts F, G, and H of this part upon [initial start-up](#) of the [new](#) or reconstructed source or by April 22, 1994, whichever is later; and

12 March 2019

**(ii)** The [owner or operator](#) of the [new](#) or reconstructed source shall comply with the reporting and [recordkeeping requirements](#) in subparts F, G, and H of this part that are applicable to [new sources](#). The applicable reports include, but are not limited to:

**(A)** The application for approval of [construction](#) or [reconstruction](#) which shall be submitted by the date specified in [§ 63.151\(b\)\(2\)\(ii\)](#) of subpart G of this part, or an Initial [Notification](#) as specified in [§ 63.151\(b\)\(2\)\(iii\)](#) of subpart G of this part;

**(B)** Changes that meet the criteria in [§ 63.151\(j\)](#) of subpart G of this part, unless the information has been submitted in an [operating permit](#) application or amendment;

**(C)** The [Notification of Compliance Status](#) as required by [§ 63.152\(b\)](#) of subpart G of this part for the [new](#) or reconstructed source;

**(D)** Periodic Reports and Other Reports as required by [§ 63.152\(c\) and \(d\)](#) of subpart G of this part;

**(E)** Reports required by [§ 63.182](#) of subpart H of this part; and

**(F)** Reports and [notifications](#) required by sections of [subpart A](#) of this part that are applicable to subparts F, G, and H of this part, as identified in table 3 of this subpart.

**(4)** If an additional [chemical manufacturing process unit](#) is added to a [plant site](#), or if an [emission point](#) is added to an [existing chemical manufacturing process unit](#), or if another deliberate operational process change creating an additional Group 1 emission point(s) is made to an [existing chemical manufacturing process unit](#), or if a [surge control vessel](#) or [bottoms receiver](#) becomes subject to [§ 63.170](#) of subpart H, or if a compressor becomes subject to [§ 63.164](#) of subpart H, and if the addition or change is not subject to the [new source requirements](#) as determined according to paragraph (l)(1) or (l)(2) of this section, the [requirements](#) in paragraphs (l)(4)(i) through (l)(4)(iii) of this section shall apply. Examples of process changes include, but are not limited to, changes in production capacity, feedstock type, or catalyst type, or whenever there is replacement, removal, or addition of recovery [equipment](#). For purposes of this paragraph and [paragraph \(m\)](#) of this section, process changes do not include: Process upsets, unintentional temporary process changes, and changes that are within the [equipment configuration](#) and operating conditions documented in the [Notification of Compliance Status](#) required by [§ 63.152\(b\)](#) of subpart G of this part.

**(i)** The added emission point(s) and any emission point(s) within the added or changed [chemical manufacturing process unit](#) are subject to the [requirements](#) of subparts F, G, and H of this part for an [existing source](#);

**(ii)** The added emission point(s) and any emission point(s) within the added or changed [chemical manufacturing process unit](#) shall be in [compliance](#) with subparts F, G, and H of this part by the dates



12 March 2019

specified in paragraph (l)(4)(ii) (A) or (B) of this section, as applicable.

**(A)** If a [chemical manufacturing process unit](#) is added to a [plant site](#) or an emission point(s) is added to an [existing chemical manufacturing process unit](#), the added emission point(s) shall be in [compliance](#) upon [initial start-up](#) of the added [chemical manufacturing process unit](#) or emission point(s) or by 3 [years](#) after April 22, 1994, whichever is later.

**(B)** If a deliberate operational process change to an [existing chemical manufacturing process unit](#) causes a Group 2 [emission point](#) to become a Group 1 [emission point](#), if a [surge control vessel](#) or [bottoms receiver](#) becomes subject to [§ 63.170](#) of subpart H, or if a compressor becomes subject to [§ 63.164](#) of subpart H, the [owner or operator](#) shall be in [compliance](#) upon [initial start-up](#) or by 3 [years](#) after April 22, 1994, whichever is later, unless the [owner or operator](#) demonstrates to the [Administrator](#) that achieving [compliance](#) will take longer than making the change. If this demonstration is made to the [Administrator's](#) satisfaction, the [owner or operator](#) shall follow the [procedures](#) in paragraphs (m)(1) through (m)(3) of this section to establish a [compliance date](#).

**(iii)** The [owner or operator](#) of a [chemical manufacturing process unit](#) or [emission point](#) that is added to a [plant site](#) and is subject to the [requirements](#) for [existing sources](#) shall comply with the reporting and [recordkeeping requirements](#) of subparts F, G, and H of this part that are applicable to [existing sources](#), including, but not limited to, the reports listed in paragraphs (l)(4)(iii) (A) through (E) of this section. A change to an [existing chemical manufacturing process unit](#) shall be subject to the reporting [requirements](#) for [existing sources](#), including but not limited to, the reports listed in paragraphs (l)(4)(iii)(A) through (E) of this section if the change meets the criteria specified in [§ 63.118\(g\)](#), (h), (i), or (j) of [subpart G](#) of this part for [process vents](#) or the criteria in [§ 63.155\(i\)](#) or (j) of [subpart G](#) of this part. The applicable reports include, but are not limited to:

**(A)** Reports specified in [§ 63.151\(i\) and \(j\)](#) of subpart G of this part, unless the information has been submitted in an [operating permit](#) application or amendment;

**(B)** The [Notification of Compliance Status](#) as required by [§ 63.152\(b\)](#) of subpart G of this part for the [emission points](#) that were added or changed;

**(C)** Periodic Reports and other reports as required by [§ 63.152 \(c\)](#) and (d) of [subpart G](#) of this part;

**(D)** Reports required by [§ 63.182](#) of subpart H of this part; and

**(E)** Reports and [notifications](#) required by sections of [subpart A](#) of this part that are applicable to subparts F, G, and H of this part, as identified in table 3 of this subpart.

12 March 2019

**(m)** If a change that does not meet the criteria in [paragraph \(l\)\(4\)](#) of this section is made to a [chemical manufacturing process unit](#) subject to subparts F and G of this part, and the change causes a Group 2 [emission point](#) to become a Group 1 [emission point](#) (as defined in [§ 63.111](#) of subpart G of this part), then the [owner or operator](#) shall comply with the [requirements](#) of subpart G of this part for the Group 1 [emission point](#) as expeditiously as practicable, but in no event later than 3 [years](#) after the [emission point](#) becomes Group 1.

**(1)** The [owner or operator](#) shall submit to the [Administrator](#) for approval a [compliance schedule](#), along with a justification for the schedule.

**(2)** The [compliance schedule](#) shall be submitted with the report required in [§ 63.151\(i\)\(2\)](#) of subpart G of this part for [emission points](#) included in an emissions average or [§ 63.151\(j\)\(1\)](#) or subpart G of this part for [emission points](#) not in an emissions average, unless the [compliance schedule](#) has been submitted in an [operating permit](#) application or amendment.

**(3)** The [Administrator](#) shall approve the [compliance schedule](#) or request changes within 120 calendar days of receipt of the [compliance schedule](#) and justification.

**(n) Rules stayed for reconsideration.** Notwithstanding any other provision of this subpart, the effectiveness of subpart F is stayed from October 24, 1994, to April 24, 1995, only as applied to those sources for which the [owner or operator](#) makes a representation in writing to the [Administrator](#) that the resolution of the [area source](#) definition issues could have an effect on the [compliance](#) status of the source with respect to subpart F.

**(o) Sections stayed for reconsideration.** Notwithstanding any other provision of this subpart, the effectiveness of [§§ 63.164](#) and 63.170 of subpart H is stayed from October 28, 1994, to April 24, 1995, only as applied to those sources subject to [§ 63.100\(k\)\(3\) \(i\)](#) and [\(ii\)](#).

**(p) Compliance dates for chemical manufacturing process units that produce crotonaldehyde or tetrahydrobenzaldehyde.** Notwithstanding the provisions of [paragraph \(k\)](#) of this section, chemical manufacturing [process units](#) that meet the criteria in paragraphs (b)(1)(ii), (b)(2), and (b)(3) of this section shall be in [compliance](#) with this subpart and subparts G and H of this part by the dates specified in paragraphs (p)(1) and (p)(2) of this section, as applicable.

**(1)** If the source consists only of chemical manufacturing [process units](#) that produce as a primary [product](#) one or more of the chemicals listed in [paragraph \(b\)\(1\)\(ii\)](#) of this section, [new sources](#) shall comply by the date specified in [paragraph \(p\)\(1\)\(i\)](#) of this section and [existing sources](#) shall comply by the dates specified in paragraphs (p)(1)(ii) and (p)(1)(iii) of this section.

**(i)** Upon [initial start-up](#) or May 12, 1998, whichever is later.

12 March 2019

**(ii)** This subpart and [subpart G](#) of this part by May 14, 2001, unless an extension has been granted by the [Administrator](#) as provided in § 63.151(a)(6) or granted by the [permitting authority](#) as provided in [§ 63.6\(i\)](#) of subpart A of this part. When April 22, 1994 is referred to in this subpart and subpart G of this part, May 12, 1998 shall be used as the applicable date for that provision. When December 31, 1992 is referred to in this subpart and subpart G of this part, August 22, 1997 shall be used as the applicable date for that provision.

**(iii)** [Subpart H](#) of this part by May 12, 1999, unless an extension has been granted by the [Administrator](#) as provided in § 63.151(a)(6) or granted by the [permitting authority](#) as provided in [§ 63.6\(i\)](#) of subpart A of this part. When April 22, 1994 is referred to in subpart H of this part, May 12, 1998 shall be used as the applicable date for that provision. When December 31, 1992 is referred to in subpart H of this part, August 22, 1997 shall be used as the applicable date for that provision.

**(2)** If the source consists of a combination of chemical manufacturing [process units](#) that produce as a primary [product](#) one or more of the chemicals listed in paragraphs (b)(1)(i) and (b)(1)(ii) of this section, [new](#) chemical manufacturing [process units](#) that meet the criteria in [paragraph \(b\)\(1\)\(ii\)](#) of this section shall comply by the date specified in [paragraph \(p\)\(1\)\(i\)](#) of this section and [existing](#) chemical manufacturing [process units](#) producing crotonaldehyde and/or tetrahydrobenzaldehyde shall comply by the dates specified in paragraphs (p)(1)(ii) and (p)(1)(iii) of this section.

**(q)** If the [owner or operator](#) of a [process vent](#), or of a gas stream transferred subject to [§ 63.113\(i\)](#), is unable to comply with the provisions of [§§ 63.113](#) through 63.118 by the applicable [compliance date](#) specified in paragraph (k),(l), or (m) of this section for the reasons [stated](#) in paragraph (q)(1),(3), or (5) of this section, the [owner or operator](#) shall comply with the applicable provisions in [§§ 63.113](#) through 63.118 as expeditiously as practicable, but in no event later than the date approved by the [Administrator](#) pursuant to paragraph (q)(2), (4), or (6) of this section, respectively. For requests under paragraph (q)(1) or (3) of this section, the date approved by the [Administrator](#) may be earlier than, and shall not be later than, the later of January 22, 2004 or 3 [years](#) after the transferee's refusal to accept the stream for [disposal](#). For requests submitted under [paragraph \(q\)\(5\)](#) of this section, the date approved by the [Administrator](#) may be earlier than, and shall not be later than, 3 [years](#) after the date of publication of the amendments to this subpart or to subpart G of this part which created the need for an extension of the [compliance](#).

**(1)** If the [owner or operator](#) has been sending a gas stream for [disposal](#) as described in [§ 63.113\(i\)](#) prior to January 22, 2001, and the transferee does not submit a written [certification](#) as described in [§ 63.113\(i\)\(2\)](#) and ceases to accept the gas stream for [disposal](#), the [owner or operator](#) shall comply with [paragraph \(q\)\(2\)](#) of this section.

**(2)**

12 March 2019

(i) An [owner or operator](#) directed to comply with [paragraph \(q\)\(2\)](#) of this section shall submit to the [Administrator](#) for approval a [compliance schedule](#), along with a justification for the schedule.

(ii) The [compliance schedule](#) and justification shall be submitted no later than 90 days after the transferee ceases to accept the gas stream for [disposal](#).

(iii) The [Administrator](#) shall approve the [compliance schedule](#) or request changes within 120 days of receipt of the [compliance schedule](#) and justification.

(3) If the [owner or operator](#) has been sending the gas stream for [disposal](#) as described in [§ 63.113\(i\)](#) to a transferee who had submitted a written [certification](#) as described in [§ 63.113\(i\)\(2\)](#), and the transferee [revokes](#) its written [certification](#), the [owner or operator](#) shall comply with [paragraph \(q\)\(4\)](#) of this section. During the period between the date when the [owner or operator](#) receives notice of revocation of the transferee's written [certification](#) and the [compliance date](#) established under [paragraph \(q\)\(4\)](#) of this section, the [owner or operator](#) shall implement, to the extent reasonably [available](#), measures to prevent or minimize [excess emissions](#) to the extent practical. For purposes of this paragraph (q)(3), the term "excess emissions" means emissions in excess of those that would have occurred if the transferee had continued managing the gas stream in [compliance](#) with the [requirements](#) in §§ 63.113 through 63.118. The measures to be taken shall be identified in the applicable [startup, shutdown, and malfunction plan](#). If the measures that can be reasonably taken will change over time, so that a more effective measure which could not reasonably be taken initially would be reasonable at a later date, the [Administrator](#) may require the more effective measure by a specified date (in addition to or instead of any other measures taken sooner or later than that date) as a condition of approval of the [compliance schedule](#).

(4)

(i) An [owner or operator](#) directed to comply with this paragraph (q)(4) shall submit to the [Administrator](#) for approval the documents specified in paragraphs (q)(4)(i)(A) through (E) of this section no later than 90 days after the [owner or operator](#) receives notice of revocation of the transferee's written [certification](#).

(A) A request for determination of a [compliance date](#).

(B) A justification for the request for determination of a [compliance date](#).

(C) A [compliance schedule](#).

(D) A justification for the [compliance schedule](#).

(E) A description of the measures that will be taken to minimize [excess emissions](#) until the [newcompliance date](#), and the date when each measure will first be implemented. The [owner or operator](#) shall describe how, and to what extent, each measure will

12 March 2019

minimize [excess emissions](#), and shall justify any period of time when measures are not in place.

**(ii)** The [Administrator](#) shall approve or disapprove the request for determination of a [compliance date](#) and the [compliance schedule](#), or request changes, within 120 days after receipt of the documents specified in paragraphs (q)(4)(i)(A) through (E) of this section. Upon approving the request for determination and [compliance schedule](#), the [Administrator](#) shall specify a reasonable [compliance date](#) consistent with the introductory text in [paragraph \(q\)](#) of this section.

**(5)** If the [owner's](#) or [operator's](#) inability to meet otherwise applicable [compliance](#) deadlines is due to amendments of this subpart or of [subpart G](#) of this part published on or after January 22, 2001 and neither condition specified in paragraph (q)(1) or (3) of this section is applicable, the [owner or operator](#) shall comply with [paragraph \(q\)\(6\)](#) of this section.

**(6)**

**(i)** An [owner or operator](#) directed to comply with this paragraph (6)(i) shall submit to the [Administrator](#) for approval, a request for determination of a [compliance date](#), a [compliance schedule](#), a justification for the determination of a [compliance date](#), and a justification for the [compliance schedule](#).

**(ii)** The documents required to be submitted under [paragraph \(q\)\(6\)\(i\)](#) of this section shall be submitted no later than 120 days after publication of the amendments of this subpart or of subpart G of this part which necessitate the request for an extension.

**(iii)** The [Administrator](#) shall approve or disapprove the request for a determination of a [compliance date](#), or request changes, within 120 days after receipt of the request for determination of a [compliance date](#), the [compliance schedule](#), and the two justifications. If the request for determination of a [compliance date](#) is disapproved, the [compliance schedule](#) is disapproved and the [owner or operator](#) shall comply by the applicable date specified in paragraph (k),(l), or (m) of this section. If the request for the determination of a [compliance date](#) is approved, the [Administrator](#) shall specify, at the time of approval, a reasonable [compliance date](#) consistent with the introductory text in [paragraph \(q\)](#) of this section.