

- (v) Rapeseed (for example, canola);
 - (vi) Safflower;
 - (vii) Soybean; and
 - (viii) Sunflower.
- (b) You are not subject to this subpart if your vegetable oil production process meets any of the criteria listed in paragraphs (b)(1) through (4) of this section:
- (1) It uses only mechanical extraction techniques that use no organic solvent to remove oil from a listed oilseed.
 - (2) It uses only batch solvent extraction and batch desolventizing equipment.
 - (3) It processes only agricultural products that are not listed oilseeds as defined in § 63.2872.

- (4) It functions only as a research and development facility and is not a major source.
- (c) As listed in § 63.1(c)(5) of the General Provisions, if your HAP emissions increase such that you become a major source, then you are subject to all of the requirements of this subpart.

§ 63.2833 Is my source categorized as existing or new?

- (a) This subpart applies to each existing and new affected source. You must categorize your vegetable oil production process as either an existing or a new source in accordance with the criteria in Table 1 of this section, as follows:

TABLE 1 TO § 63.2833—CATEGORIZING YOUR SOURCE AS EXISTING OR NEW

If your affected source...	And if...	Then your affected source...
(1) was constructed or began construction before May 26, 2000.	reconstruction has not occurred	is an existing source.
(2) began reconstruction, as defined in § 63.2, on or after May 26, 2000.	(i) reconstruction was part of a scheduled plan to comply with the existing source requirements of this subpart; and (ii) reconstruction was completed no later than 3 years after the effective date of this subpart.	remains an existing source.
(3) began a significant modification, as defined in § 63.2872, at any time on an existing source.	the modification does not constitute reconstruction.	remains an existing source.
(4) began a significant modification, as defined in § 63.2872, at any time on a new source.	the modification does not constitute reconstruction.	remains a new source.
(5) began reconstruction on or after May 26, 2000.	reconstruction was completed later than 3 years after the effective date of this subpart.	is a new source
(6) began construction on or after May 26, 2000.	is a new source.

(b) *Reconstruction of a source.* Any affected source is reconstructed if components are replaced so that the criteria in the definition of *reconstruction* in § 63.2 are satisfied. In general, a vegetable oil production process is reconstructed if the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost for constructing a new vegetable oil production process, and it is technically and economically feasible for the reconstructed source to meet the relevant new source requirements of this subpart. The effect of reconstruction on the categorization of your existing and new affected source is described in paragraphs (b)(1) and (2) of this section:

- (1) After reconstruction of an existing source, the affected source is recategorized as a new source and becomes subject to the new source requirements of this subpart.
- (2) After reconstruction of a new source, the affected source remains categorized as a new source and remains subject to the new source requirements of this subpart.
- (c) *Significant modification of a source.* A significant modification to an affected source is a term specific to this subpart and is defined in § 63.2872.
- (1) In general, a significant modification to your source consists of adding new equipment or the modification of existing equipment within the affected

Environmental Protection Agency

§ 63.2840

source that significantly affects solvent losses from the affected source. Examples include adding or replacing extractors, desolventizer-toasters (conventional and specialty), and meal dryer-coolers. All other significant modifications must meet the criteria listed in paragraphs (c)(1)(i) and (ii) of this section:

- (i) The fixed capital cost of the modification represents a significant percentage of the fixed capital cost of building a comparable new vegetable oil production process.
 - (ii) It does not constitute reconstruction as defined in §63.2.
- (2) A significant modification has no effect on the categorization of your

source as existing and new. An existing source remains categorized as an existing source and subject to the existing source requirements of this subpart. A new source remains categorized as a new source and subject to the new source requirements of this subpart.

(d) Changes in the type of oilseed processed by your affected source does not affect the categorization of your source as new or existing. Recategorizing an affected source from existing to new occurs only when you add or modify process equipment within the source which meets the definition of *reconstruction*.

§ 63.2834 When do I have to comply with the standards in this subpart?

You must comply with this subpart in accordance with one of the schedules in Table 1 of this section, as follows:

TABLE 1 OF § 63.2834—COMPLIANCE DATES FOR EXISTING AND NEW SOURCES

If your affected source is categorized as...	And if...	Then your compliance date is...
(a) an existing source	3 years after the effective date of this subpart.
(b) a new source	you startup your affected source before the effective date of this subpart.	the effective date of this subpart.
(c) a new source	you startup your affected source on or after the effective date of this subpart.	your startup date.

STANDARDS

§ 63.2840 What emission requirements must I meet?

For each facility meeting the applicability criteria in §63.2832, you must comply with either the requirements specified in paragraphs (a) through (d), or the requirements in paragraph (e) of this section.

(a)(1) The emission requirements limit the number of gallons of HAP lost per ton of listed oilseeds processed. For each operating month, you must

calculate a compliance ratio which compares your actual HAP loss to your allowable HAP loss for the previous 12 operating months as shown in Equation 1 of this section. An operating month, as defined in §63.2872, is any calendar month in which a source processes a listed oilseed, excluding any entire calendar month in which the source operated under an initial startup period subject to §63.2850(c)(2) or (d)(2) or a malfunction period subject to §63.2850(e)(2). Equation 1 of this section follows:

$$\text{Compliance Ratio} = \frac{\text{Actual Hap Loss}}{\text{Allowable Hap Loss}} \quad (\text{Eq. 1})$$

(2) Equation 1 of this section can also be expressed as a function of total sol-

vent loss as shown in Equation 2 of this