

## Environmental Protection Agency

## § 63.2872

the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are as follows:

(1) Approval of alternative non-opacity emissions standards under § 63.6(g).

(2) Approval of alternative opacity standards under § 63.6(h)(9).

(3) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.

(4) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.

(5) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.

### § 63.2872 What definitions apply to this subpart?

Terms used in this subpart are defined in the sources listed:

(a) The Clean Air Act, section 112(a).

(b) In 40 CFR 63.2, the NESHAP General Provisions.

(c) In this section as follows:

*Accounting month* means a time interval defined by a business firm during which corporate economic and financial factors are determined on a consistent and regular basis. An accounting month will consist of approximately 4 to 5 calendar weeks and each accounting month will be of approximate equal duration. An accounting month may not correspond exactly to a calendar month, but 12 accounting months will correspond exactly to a calendar year.

*Actual solvent loss* means the gallons of solvent lost from a source during 12 operating months as determined in accordance with § 63.2853.

*Agricultural product* means any commercially grown plant or plant product.

*Allowable HAP loss* means the gallons of HAP that would have been lost from a source if the source was operating at the solvent loss factor for each listed oilseed type. The allowable HAP loss in gallons is determined by multiplying the tons of each oilseed type processed during the previous 12 operating months, as determined in accordance with § 63.2855, by the corresponding oil-

seed solvent loss factor (gal/ton) listed in Table 1 of § 63.2840, and by the dimensionless constant 0.64, and summing the result for all oilseed types processed.

*Area source* means any source that does not meet the major source definition.

*As received* is the basis upon which all oilseed measurements must be determined and refers to the oilseed chemical and physical characteristics as initially received by the source and prior to any oilseed handling and processing.

*Batch operation* means any process that operates in a manner where the addition of raw material and withdrawal of product do not occur simultaneously. Typically, raw material is added to a process, operational steps occur, and a product is removed from the process. More raw material is then added to the process and the cycle repeats.

*Calendar month* means 1 month as specified in a calendar.

*Compliance date* means the date on which monthly compliance recordkeeping begins. For existing sources, recordkeeping typically begins 3 years after the effective date of the subpart. For new and reconstructed sources, recordkeeping typically begins upon initial startup, except as noted in § 63.2834.

*Compliance ratio* means a ratio of the actual HAP loss in gallons from the previous 12 operating months to an allowable HAP loss in gallons, which is determined by using oilseed solvent loss factors in Table 1 of § 63.2840, the weighted average volume fraction of HAP in solvent received for the previous 12 operating months, and the tons of each type of listed oilseed processed in the previous 12 operating months. Months during which no listed oilseed is processed, or months during which the § 63.2850(c)(2) or (d)(2) initial startup period or the § 63.2850(e)(2) malfunction period applies, are excluded from this calculation. Equation 2 of § 63.2840 is used to calculate this value. If the value is less than or equal to 1.00, the source is in compliance. If the value is greater than 1.00, the source is deviating from compliance.

*Continuous operation* means any process that adds raw material and withdraws product simultaneously. Mass, temperature, concentration and other properties typically approach steady-state conditions.

*Conventional desolventizer* means a desolventizer toaster that operates with indirect and direct-contact steam to remove solvent from the extracted meal. Oilseeds processed in a conventional desolventizer produce crude vegetable oil and crude meal products, such as animal feed.

*Corn germ dry milling* means a source that processes corn germ that has been separated from the other corn components using a "dry" process of mechanical chafing and air sifting.

*Corn germ wet milling* means a source that processes corn germ that has been separated from other corn components using a "wet" process of centrifuging a slurry steeped in a dilute sulfurous acid solution.

*Exempt period* means a period of time during which a source processes agricultural products not defined as listed oilseed.

*Extraction solvent* means an organic chemical medium used to remove oil from an oilseed. Typically, the extraction solvent is a commercial grade of hexane isomers which have an approximate HAP content of 64 percent by volume.

*Hazardous air pollutant (HAP)* means any substance or mixture of substances listed as a hazardous air pollutant under section 112(b) of the Clean Air Act, as of April 12, 2001.

*Initial startup date* means the first calendar day that a new, reconstructed or significantly modified source processes any listed oilseed.

*Initial startup period* means a period of time from the initial startup date of a new, reconstructed or significantly modified source, for which you choose to operate the source under an initial startup period subject to § 63.2850(c)(2) or (d)(2). During an initial startup period, a source complies with the standards by minimizing HAP emissions to the extent practical. The initial startup period following initial startup of a new or reconstructed source may not exceed 6 calendar months. The initial startup period following a significant

modification may not exceed 3 calendar months. Solvent and oilseed inventory information recorded during the initial startup period is excluded from use in any compliance ratio determinations.

*Large cottonseed plant* means a vegetable oil production process that processes 120,000 tons or more of cottonseed and other listed oilseed during all normal operating periods in a 12 operating months period used to determine compliance.

*Malfunction period* means a period of time between the beginning and end of a process malfunction and the time reasonably necessary for a source to correct the malfunction for which you choose to operate the source under a malfunction period subject to § 63.2850(e)(2). This period may include the duration of an unscheduled process shutdown, continued operation during a malfunction, or the subsequent process startup after a shutdown resulting from a malfunction. During a malfunction period, a source complies with the standards by minimizing HAP emissions to the extent practical. Therefore, solvent and oilseed inventory information recorded during a malfunction period is excluded from use in any compliance ratio determinations.

*Mechanical extraction* means removing vegetable oil from oilseeds using only mechanical devices such as presses or screws that physically force the oil from the oilseed. Mechanical extraction techniques use no organic solvents to remove oil from an oilseed.

*Nonoperating period* means any period of time in which a source processes no agricultural product. This operating status does not apply during any period in which the source operates under an initial startup period as described in § 63.2850(c)(2) or (d)(2), or a malfunction period, as described in § 63.2850(e)(2).

*Normal operating period* means any period of time in which a source processes a listed oilseed that is not categorized as an initial startup period as described in § 63.2850(c)(2) or (d)(2), or a malfunction period, as described in § 63.2850(e)(2). At the beginning and ending dates of a normal operating period, solvent and oilseed inventory information is recorded and included in the compliance ratio determination.

*Oilseed or listed oilseed* means the following agricultural products: corn germ, cottonseed, flax, peanut, rapeseed (for example, canola), safflower, soybean, and sunflower.

*Oilseed solvent loss factor* means a ratio expressed as gallons of solvent loss per ton of oilseed processed. The solvent loss factors are presented in Table 1 of §63.2840 and are used to determine the allowable HAP loss.

*Operating month* means any calendar or accounting month in which a source processes any quantity of listed oilseed, excluding any entire calendar or accounting month in which the source operated under an initial startup period as described in §63.2850(c)(2) or (d)(2), or a malfunction period as described in §63.2850(e)(2). An operating month may include time intervals characterized by several types of operating status. However, an operating month must have at least one normal operating period.

*Significant modification* means the addition of new equipment or the modification of existing equipment that:

(1) Significantly affects solvent losses from your vegetable oil production process;

(2) The fixed capital cost of the new components represents a significant percentage of the fixed capital cost of building a comparable new vegetable oil production process;

(3) The fixed capital cost of the new equipment does not constitute reconstruction as defined in §63.2; and

(4) Examples of significant modifications include replacement of or major changes to solvent recovery equipment such as extractors, desolventizer-toasters/dryer-coolers, flash desolventizers, and distillation equipment associated with the mineral oil system, and equipment affecting desolventizing efficiency and steady-state operation of your vegetable oil production process such as flaking mills, oilseed heating and conditioning equipment, and cracking mills.

*Small cottonseed plant* means a vegetable oil production process that processes less than 120,000 tons of cottonseed and other listed oilseed during all normal operating periods in a 12 operating months period used to determine compliance.

*Solvent extraction* means removing vegetable oil from listed oilseed using an organic solvent in a direct-contact system.

*Solvent working capacity* means the volume of extraction solvent normally retained in solvent recovery equipment. Examples include components such as the solvent extractor, desolventizer-toaster, solvent storage and working tanks, mineral oil absorption system, condensers, and oil/solvent distillation system.

*Specialty desolventizer* means a desolventizer that removes excess solvent from soybean meal using vacuum conditions, energy from superheated solvent vapors, or reduced operating conditions (e.g., temperature) as compared to the typical operation of a conventional desolventizer. Soybeans processed in a specialty desolventizer result in high-protein vegetable meal products for human and animal consumption, such as calf milk replacement products and meat extender products.

*Vegetable oil production process* means the equipment comprising a continuous process for producing crude vegetable oil and meal products, including specialty soybean products, in which oil is removed from listed oilseeds through direct contact with an organic solvent. Process equipment typically includes the following components: oilseed preparation operations (including conditioning, drying, dehulling, and cracking), solvent extractors, desolventizer-toasters, meal dryers, meal coolers, meal conveyor systems, oil distillation units, solvent evaporators and condensers, solvent recovery system (also referred to as a mineral oil absorption system), vessels storing solvent-laden materials, and crude meal packaging and storage vessels. A vegetable oil production process does not include vegetable oil refining operations (including operations such as bleaching, hydrogenation, and deodorizing) and operations that engage in additional chemical treatment of crude soybean meals produced in specialty desolventizer units (including operations such as soybean isolate production).

[66 FR 19011, Apr. 12, 2001, as amended at 71 FR 20464, Apr. 20, 2006]