

40 C.F.R. § 63.1100

Applicability.

(a) *General.* This subpart applies to source categories and affected sources specified in § 63.1103(a) through (h). The affected emission points, by source category, are summarized in table 1 of this section. This table also delineates the section and paragraph of the rule that directs an owner or operator of an affected source to source category-specific control, monitoring, recordkeeping, and reporting requirements.

Table 1 to § 63.1100(a)—Source Category MACT a Applicability

Source category	Storage vessels	Process vents	Transfer racks	Equipment leaks	Wastewater streams	Other	Source category MACT requirements
Acetal Resins Production	Yes	Yes	No	Yes	Yes	No	§ 63.1103(a)
Acrylic and Modacrylic Fibers Production	Yes	Yes	No	Yes	Yes	Yes ^b	§ 63.1103(b)
Carbon Black Production	No	Yes	No	No	No	No	§ 63.1103(f).
Cyanide Chemicals Manufacturing	Yes	Yes	Yes	Yes	Yes	No	§ 63.1103(g).
Ethylene Production	Yes	Yes	Yes	Yes	Yes	Yes ^c	§ 63.1103(e).
Hydrogen Fluoride Production	Yes	Yes	Yes	Yes	No	No	§ 63.1103(c)
Polycarbonate Production	Yes	Yes	No	Yes	Yes	No	§ 63.1103(d)
Spandex Production	Yes	Yes	No	No	No	Yes ^d	§ 63.1103(h).

^a Maximum achievable control technology.

^b Fiber spinning lines using spinning solution or suspension containing acrylonitrile.

^c Heat exchange systems as defined in § 63.1082(b).

^d Fiber spinning lines.

(b) *Subpart A requirements.* The following provisions of subpart A of this part (General Provisions), §§ 63.1 through 63.5, and §§ 63.12 through 63.15, apply to owners or operators of affected sources subject to this subpart. For sources that reclassify from major source to area source status, the applicable provisions of § 63.9(j) and (k) apply. Beginning no later than the compliance dates specified in § 63.1102(c), for ethylene

production affected sources, §§ 63.7(a)(4), (c), (e)(4), and (g)(2), 63.9(k), and 63.10(b)(2)(vi) also apply.

(c) *Research and development facilities.* The provisions of this subpart do not apply to research and development facilities, consistent with section 112(b)(7) of the Act.

(d) *Primary product determination and applicability.* The primary product of a process unit shall be determined according to the procedures specified in paragraphs (d)(1) and (2) of this section. Paragraphs (d)(3), (4), and (5) of this section discuss compliance for those process units operated as flexible operation units.

(1) If a process unit only manufactures one product, then that product shall represent the primary product of the process unit.

(2) If a process unit is designed and operated as a flexible operation unit, the primary product shall be determined as specified in paragraphs (d)(2)(i) or (ii) of this section based on the anticipated operations for the 5 years following the promulgation date for existing affected sources and for the first 5 years after initial startup for new affected sources.

(i) If the flexible operation unit will manufacture one product for the greatest percentage of operating time over the five-year period, then that product shall represent the primary product of the flexible operation unit.

(ii) If the flexible operation unit will manufacture multiple products equally based on operating time, then the product with the greatest production on a mass basis over the five-year period shall represent the primary product of the flexible operation unit.

(3) Once the primary product of a process unit has been determined to be a product produced by a source category subject to this subpart, the owner or operator of the affected source shall comply with the standards for the primary product production process unit.

(4) The determination of the primary product for a process unit, including the assessment of applicability of this subpart to process units that are designed and operated as flexible operation units, shall be reported in the Notification of Compliance Status report required by § 63.1110(a)(4) when the primary product is determined to be a product produced by a source category subject to requirements under this subpart. The Notification of Compliance Status shall include the information specified in either paragraph (d)(4)(i) or (ii) of this section. If the primary product is determined to be something other than a product produced by a source category subject to requirements under this subpart, the owner or operator shall retain information, data, and analyses used to document the basis for the determination that the primary product is not produced by a source category subject to requirements under this subpart.

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