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OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CHAPTER III. AIR RESOURCES
SUBCHAPTER A. PREVENTION AND CONTROL OF AIR CONTAMINATION AND AIR POLLUTION
PART 223. PETROLEUM REFINERIES

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223.10 Component leakage.

(a) The owner or operator of a petroleum refinery subject to this Part shall:

(1) Develop a monitoring program consistent with provisions of paragraph (b)(1) of this section.

(2) Conduct a monitoring program consistent with the provisions of subdivision (d) of this section.

(3) Record all leaking components which have a volatile organic compound concentration exceeding 10,000 ppm when tested according to the provisions of subdivision (c) of this section, and place an identifying tag on each component consistent with the provisions of paragraph (d)(7) of this section.

(4) If the leak can be repaired without a shutdown, repair and retest the leaking component as soon as possible but not later than 15 working days after the leak is found.

(5) If the leak cannot be repaired without a shutdown, identify all leaking components which cannot be repaired until the unit is shutdown for turnaround.

(6) The commissioner may require the rescheduling of a planned unit turnaround to an earlier date based on the number and severity of tagged leaks awaiting turnaround. Before requiring a rescheduled turnaround, the commissioner will consider the effect of the action on supplies of gasoline and heating oil, the availability of necessary repair equipment, and time requirements for contracting outside labor and rescheduling facility personnel.

(7) Except for safety pressure relief valves, no owner or operator of a petroleum refinery shall install or operate a valve at the end of a pipe or line containing volatile organic compounds unless the pipe or line is sealed with a second valve, a blind flange, a plug or a cap. The sealing device may be removed only when a sample is being taken or during maintenance operations.

(8) Pipeline valves and pressure relief valves in gas service for any volatile organic compound shall be marked in some manner that will be readily obvious to both refinery personnel performing monitoring and the commissioner.

(b) The owner or operator of a petroleum refinery shall meet the following schedule:

(1) submit to the commissioner and commence a monitoring program six months after the effective date of this Part. This program shall contain, as a minimum, a list of the refinery units and the quarter in which they will be monitored, a copy of the log book format, and the make and model of the monitoring equipment to be used. In no case shall a monitoring contract relieve the owner or operator of a petroleum refinery of the responsibility for compliance with this Part; and

(2) submit the first quarterly monitoring report to the commissioner six months after the approval of the monitoring program.

(c) Testing and calibration procedures to determine compliance with this Part must be consistent with Appendix B of the U.S. Environmental Protection Agency guideline series document, “Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment”, EPA-450/2-78-036.

(d) The owner or operator of a petroleum refinery subject to this Part must:

(1) Monitor yearly by the methods referenced in subdivision (c) of this section, all pump seals, pipeline valves in liquid services, and process drains in gaseous or light petroleum compound service.

(2) Monitor quarterly by the methods referenced in subdivision (c) of this section, all compressor seals, pipeline valves in gaseous service and pressure relief valves in gas service.

(3) Monitor weekly by visual methods all pump seals in pumps in gaseous or light petroleum compound service.

(4) Monitor immediately any pump seal in pumps handling gases and light petroleum compounds from which liquids are observed dripping.

(5) Visually monitor any relief valve within 24 hours after it has vented to the atmosphere.

(6) Monitor within 72 hours after repair, any component that was found leaking.

(7) The owner or operator of a petroleum refinery, upon the detection of a leaking component, will affix a weatherproof and readily visible tag, bearing an identification number and the date the leak is located, to the leaking component. This tag must remain in place until the leaking component is repaired.

(e) The owner or operator of a petroleum refinery shall maintain a leaking components monitoring log specified in paragraph (a)(3) of this section, which shall contain at a minimum, the following data:

(1) the name of the process unit where the component is located;

(2) the type of component (*e.g.,* valve, seal);

(3) the tag number of the component;

(4) the date on which a leaking component is discovered;

(5) the date on which a leaking component is repaired;

(6) the date and instrument reading of the recheck procedure after a leaking component is repaired;

(7) a record of the calibration of the monitoring instrument;

(8) those leaks that cannot be repaired until turnaround;

(9) the total number of components checked and the total number of components found leaking; and

(10) copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report prepared, and shall be made available immediately to the commissioner or his representative, upon verbal or written request, at any reasonable time.

(f) Reporting.

The owner or operator of a petroleum refinery, upon the completion of each yearly and/or quarterly monitoring procedure, shall:

(1) submit a report to the commissioner by the 15th day of January, April, July and October that lists all leaking components that were located during the previous three calendar months but not repaired within 15 days, all leaking components awaiting unit turnaround, the total number of components inspected and the total number of components found leaking; and

(2) submit a signed statement with the report attesting to the fact that, with the exception of those leaking components listed in paragraph (1) of this subdivision all monitoring and repairs were performed as stipulated in the monitoring program.

(g) If the owner or operator of a petroleum refinery can demonstrate to the satisfaction of the commissioner that the requirements of subdivisions (d), (e) and (f) of this section are not feasible, the commissioner may allow the application of alternative requirements.

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