

used to monitor fugitive emissions directly, and to ensure effective operation of the vapor-collection system and control device, thus ensuring continuous compliance with the indications of a source's continuing compliance status. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court. Records and reports also are necessary to enable EPA to identify plants that may not understand the workings of the standard or that may not be in compliance with the standard. Based on reported information, EPA can decide how many plant inspections would be needed, which plants should be inspected, and what records or processes should be inspected at the plant. In the absence of such information enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act, owners or operators of the affected facilities described must make the following one-time-only notices or reports: notification of anticipated startup, notification of actual startup, notification of construction or modification, initial compliance report, notification of emission test, report following an emission test, notification of a monitoring system performance test, and report following a monitoring system performance test. These notifications and reports are general provisions and required of all sources subject to any NESHAP.

Reporting requirements specific to benzene coke by-product recovery plants, Subpart L, include a semiannual report by affected facilities. The semiannual reports include results of leak monitoring and performance tests. Respondents also are required to submit semiannual reports of measurements for sources subject to a no detectable emissions limit and semiannual reports summarizing the results of the leak detection and repair program implemented at the plant. One report would incorporate information for both process equipment and fugitive sources. These reports would include information such as number of leaks that occurred, the number that could not be repaired, the general reasons for unsuccessful or delay of repair, and the results of performance tests conducted during the reporting period.

Monitoring, recordkeeping and reporting requirements specific to benzene coke by-product recovery plants for leak detection and repair of fugitive emission sources are those

provisions specified under 40 CFR 61, NESHAP Subpart V. The Subpart V regulations for equipment leaks were approved by the Office of Management and Budget (OMB) under control number 2060-0068. The only difference in the equipment leak requirements of Subpart V and this regulation relates to exhausters. Exhausters are subject to quarterly monitoring requirements. However, quarterly monitoring is not required if the exhauster is equipped with a seal system that has a barrier fluid, the exhauster seal is loaded and vented to a control device, or a leakless exhauster is used. Exhausters are subject to the same recordkeeping and reporting provisions as other equipment subject to Subpart V.

The added control amendment to the coke-by-product plant benzene NESHAP is based on a settlement agreement pursuant to a petition to review the benzene NESHAP by the American Coke and Coal Chemicals Institute (ACCCI). The recordkeeping and reporting requirements contained in this rule are consistent with those described in the agreement.

The owner or operator choosing to use one of the alternative control technologies (i.e., a carbon absorber or a vapor incinerator) would be required to record for the life of the control device, the design of the control device, the sources which it is intended to control, and a plan for the operation, maintenance and action needed to correct problems. Such a record would assist the owner or operator to operate the device properly throughout its life and would also assist the enforcement personnel in determining, when reviewing records that indicate problems with the control device, whether the device had been properly maintained and appropriate corrective action had been taken. The owner or operator would be required to record the results of each test for determining compliance with the standard. Also required to be recorded would be any data that provide reference values for parameters that are important to monitoring, such as temperature of the firebox in a vapor incinerator and the benzene concentration at the inlet to a carbon adsorber. Some of these data are gathered during the compliance test, others separately (e.g., the demonstrated bed life of a carbon adsorber).

These records would be required to be kept for at least two years, or until the next compliance test (or time that the parameter reference value is determined), whichever is longer. Finally, the results of monitoring the control device would be required to be recorded for at least 2 years. The records

would include any periods when the boundaries established for the monitored parameters were exceeded and the action taken to correct the problem that led to the exceedance.

The alternative control options require reporting in addition to recordkeeping. The General Provisions require reporting of compliance tests. This would be submitted each time a compliance test is performed. The rule requires compliance tests to be done initially and at the request of EPA (not at predetermined intervals). In addition, the rule requires reporting of exceedances of the monitored parameters, with a brief description of the corrective action taken. Included would be exceedances of the operating requirements such as if the source were not vented to a fresh carbon bed before the maximum concentration point was exceeded on the spent bed. The reports are required quarterly. When semiannual reports under Subpart L are due, the information for the quarterly report should be submitted as part of the semiannual report. If there were no exceedances during a quarter in which no semiannual report was due, reporting for that quarter could be skipped and a notation to that effect included in the next report. The reason that quarterly reports are required for these control devices is because the monitoring is generally continuous and therefore provides a continuous record of problems with operation and maintenance of the device. Because of the hazardous nature of benzene, it is important that enforcement personnel are alerted to plants that are having problems with their control device and are potentially in violation of the standards. The enforcement personnel can then move quickly to make sure the problem area is corrected.

Any owner or operator subject to the provisions of this part shall maintain an up-to-date file of monitoring and recordings, and retain them for at least two years following. Records of equipment and process design are kept permanently.

These data would include information necessary to administer the program (such as source identification number, percent by weight benzene in the process fluid, type of fugitive emission source) as well as data gathered relating directly to leak detection and repair (such as leak dates and repair methods). Respondents using gas-blanketing systems, closed-vent systems, and control devices are required to maintain records of schematics, design specifications, piping and instrumentation diagrams, and other information related to changes in design