RCRA Subpart CC Organic Air Emission Standards: Tanks

BACKGROUND: In 1984, Congress passed the Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA). Section 3004(n) of HSWA directed EPA to promulgate regulations for monitoring and control of air emissions from hazardous waste treatment, storage, and disposal facilities (TSDFs). EPA is addressing TSDF air emissions by implementing Section 3004(n) in a phased approach. The first of three phases was completed with the promulgation of final RCRA standards to reduce organic emissions vented from treating hazardous wastes by distillation, fractionation, thin-film evaporation, solvent extraction, steam and air stripping, as well as from leaks in piping and equipment used for hazardous waste management processes. (see reference 1)

The second phase involved promulgation of final RCRA organic emissions standards for surface impoundments, tanks, containers, and miscellaneous units. (see reference 3) The final rule was significantly amended in 1996 to better convey EPA's original intent, to provide additional flexibility to owners and operators who must comply with the rules, and to change the effective date of the requirements. The final rule also was amended in 1997 to make technical amendments and to clarify the regulatory text. The last phase will involve assessment of the first two phases and publication of further regulations or guidance as needed. The subject of this information brief is the second phase regulations specifically dealing with tanks.

STATUTES: Resource Conservation and Recovery Act (RCRA), Hazardous and Solid Waste Amendments (HSWA) of 1984.

REGULATIONS: 40 CFR Parts 264 and 265, Subparts AA, BB, and CC §§1030-1090

REFERENCES:

1. Hazardous Waste Treatment, Storage, and Disposal Facilities--Organic Air Emission Standards for Process Vents, Equipment Leaks; Final Rule, 55 FR 22454, June 21, 1990

2. "Exclusions and Exemptions from RCRA Hazardous Waste Regulations," U.S. DOE, Office of Environmental Policy and Assistance RCRA Information Brief, EH-231-034/0593, May 1993.

3. Hazardous Waste Treatment, Storage, and Disposal Facilities and Hazardous Waste Generators, Organic Air Emission Standards for Tanks, Surface Impoundments, and Containers; Final Rule, 59 FR 62896, December 6, 1994. Amendment: 61 FR 4903, February 9, 1996, Final Rule; Technical Amendment. Amendment: 61 FR 59932, November 25, 1996, Final Rule. Amendment: 62 FR 64636, December 8, 1997, Final Rule; Clarification and Technical Amendment.

4. "Hazardous Waste Treatment, Storage and Disposal Facilities and Hazardous Waste Generators (RCRA Subpart CC), Organic Air Emission Standards; Final Rule Issued," U.S. Department of Energy, Office of Environmental Policy and Assistance, Environmental Guidance Regulatory Bulletin, August 1995.

5. "RCRA Subpart CC Organic Air Emission Standards Technical Amendment Questions and Answers," U.S. DOE, Office of Environmental Policy and Assistance Technical Assistance Project, DOE/EH(RCRA)-9701, March 1997.

6. "Hazardous Waste Treatment, Storage and Disposal Facilities and Hazardous Waste Generators (RCRA Subpart CC), Organic Air Emission Standards; Revised Final Rule Issued," U.S. Department of Energy, Office of Environmental Policy and Assistance, Environmental Guidance Regulatory Bulletin, September 1997.

Who must comply with these regulations?

Owners/operators of tanks that receive hazardous waste with an average volatile organics (VO) concentration of greater than or equal to 500 parts per million by weight (ppmw) at its point of waste origination, and that have not been exempted are subject to subpart CC air emission controls for tanks. [40 CFR 260.1082(c)(1) and 265.1083(c)(1)]

Exemptions include:

- Tanks exempted from RCRA permits under 40 CFR part 264, interim status under 40 CFR part 265, and less-than 90-day standards under 40 CFR 262.34(a)(i)(i) or (ii). (see reference 2);

- Tanks exempted under special subpart CC exemptions, such as:

  -a tank that has been closed or is undergoing closure; [40 CFR 264.1080(b)(3), (4) and 265.1080(b)(3), (4)]

  -tanks used on-site in connection with a required RCRA corrective action, CERCLA remediation, or similar state or federal cleanup program. [40 CFR 264.1080(b)(5) and 265.1080(b)(5)]

  -tanks used solely for managing mixed radioactive and hazardous waste. [40 CFR 264.1080(b)(6) and 265.1080(b)(6)]

  -tanks certified equipped with and operating air emission controls in accordance with CAA National Emission Standard for Hazardous Air Pollutants (NESHAPS) or New Source Performance Standard (NSPS) controls. [40 CFR 264.1080(b)(7) and 265.1080(b)(7)]

  -tanks with process vents as defined in 40 CFR 264.1031. [40 CFR 264.1080(b)(8) and 265.1080(b)(8)]

  -tanks for which the organic content of all the hazardous waste entering has been reduced by an organic destruction or removal process that achieves specified conditions. [40 CFR 264.1082(c)(2) and 265.1083(c)(2)]

  -a tank used for biological treatment of hazardous waste in accordance with 40 CFR 264.1082(c)(2)(iv). [40 CFR 264.1082(c)(3) and 265.1083(c)(3)]

  -tanks in which all hazardous waste placed in the tank either meets specified Land Disposal Restrictions (LDR) in 40 CFR Part 268; or meets the treatment technology established for the waste in 40 CFR 268.42(a) or an equivalent method pursuant to 40 CFR 268. 42(b). [40 CFR 264.1082(c)(4)(i & ii) and 265.1083(c)(4)(i & ii)]

Subpart CC tanks include all stationary units that manage hazardous waste and that are designed primarily of non-earthen materials (e.g., steel, plastic, concrete) which provide structural support for the tank. [40 CFR 260.10] Many units, like sumps, may meet the definition of a "tank," and would be subject to the subpart CC tank standards.

How are the tank standards organized?

There are two levels (Level 1 and Level 2 controls) of air emission standards for tanks managing hazardous waste having an average VO concentration greater than or equal to 500 ppmw. [40 CFR 264.1084(b)(1) and 265.1085(b)(1)] If the criteria listed below are satisfied, the hazardous waste may be placed in a Level 1 fixed roof tank, or any of the Level 2 tank designs. [40 CFR 264.1084(b)(1) & (2) and 265.1085(b)(1) & (2)]

What are Level 1 Tank Operating Requirements?

Fixed roof tanks that meet the following criteria may use Level 1 controls:

- the tank does not exceed the maximum organic vapor pressure (MOVP) levels specified in the table below, [40 CFR 264.1084(b)(1)(i) & 265.1085(b)(1)(i)]

- the waste is not heated to a temperature that is greater than the temperature at which the MOVP is determined, and [40 CFR 264.1084(b)(1)(ii)] & 265.1085(b)(1)(ii)]

- no treatment using a waste stabilization process occurs in the tank. [40 CFR 264.1084(b)(1)(iii) & 265.1085(b)(1)(iii)]

Tank Size	MOVP
$\geq$ 151 m^3 (40,000 gallons)	$\leq$ 5.2 kPa (0.75 psi)
$\geq$ 75 m^3 (20,000 gallons) and < 151m^3 (40,000 gallons)	$\leq$ 27.6 kPa (4.0 psi)
< 75 m^3 (20,000 gallons)	$\leq$ 76.6 kPa (11.1psi)

If any of these limits are exceeded, then the tank must meet Level 2 controls [see below] to manage the waste. [40 CFR 264.1084(b)(2) and 265.1085(b)(2)]

Owners/operators controlling air pollutant emissions from a tank using Level 1 controls shall meet the following:

- The owner/operator must determine the MOVP for a hazardous waste to be managed in the tank before the first time the hazardous waste is placed in the tank and whenever changes in the hazardous waste could cause the MOVP to increase. The procedures specified in 40 CFR 264.1083(c) should be used in MOVP determinations. [40 CFR 264.1084(c)(1) and 265.1085(c)(1)]

- The fixed roof and its closure devices must form a continuous barrier over the entire surface area of the hazardous waste in the tank. The roof may be: (1) an integral part of the structural design, or (2) separate from the rest of the tank, but have no visible gaps or holes between the cover and tank when the cover is completely closed. [40 CFR 264.1084(c)(2)(i) & (ii) and 265.1085(c)(2)(i) & (ii)]

- Any opening in the fixed roof and any manifold system associated with the fixed roof, should be either equipped with a closure device or connected by a closed-vent system that is vented to a control device. The closure device should be designed to operate such that when it is closed there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure device. The control device must be operating at all times when hazardous waste is in the tank except during routine inspections, maintenance, or other activities needed for normal operations. [40 CFR 264.1084(c)(2)(iii) and 265.1085(c)(2)(iii)]

- Safety release devices, as defined in 40 CFR 265.1081, may be opened to prevent unsafe conditions but should remain in a closed position during normal operation. [40 CFR 264.1084(c)(3)(iii) and 265.1085(c)(3)(iii)]

- Conservation vents designed to vent to the atmosphere during normal operations to maintain tank internal pressure, in accordance with tank design specifications, are allowed. However, they must be designed to operate with no detectable emissions when closed. [40 CFR 264.1084(c)(3)(ii) and 265.1085(c)(3)(ii)]

- Waste transfers between regulated tanks and between regulated tanks and surface impoundments should be performed in a closed system except under the following conditions: [40 CFR 264.1084(j) and 265.1085(j)]

  - the hazardous waste meets the average VO concentration conditions found in 40 CFR 264.1082(c)(1) at the point of waste origination;

  - the hazardous waste has been treated by an organic destruction or removal process to meet 40 CFR 264.1081(c)(2); or

  - the hazardous waste meets the LDR requirements of 40 CFR 264.1082(c)(4).

What are the Level 2 tank designs requirements?

Fixed Roof with an Internal Floating Roof

- The tank must have an outer fixed roof and an inner roof that either floats on the liquid surface or is held up by leg supports and meets specified requirements. [40 CFR 264.1084(e)(1)(i) & (iii) and 265.1085(e)(1)(i) & (iii)]

- The internal roof must have a continuous seal between the tank wall and the internal roof that meets specified requirements. [40 CFR 264.1084(e)(1)(ii) and 265.1085(e)(1)(ii)]

External Floating Roof

- The tank must have an external floating roof that rests on the surface of the waste except when it is resting on the leg supports. [40 CFR 264.1084(f)(1)(i) and 265.1085(f)(1)(i)]

- The external floating roof should have two continuous seals between the wall of the tank and the roof edge, one above the other, which meet specified requirements. [40 CFR 264.1084(f)(1)(ii) and 265.1085(f)(1)(ii)]

Fixed Roof Venting to a Control Device

- The tank must have a fixed roof and its closure devices must be designed to form a continuous barrier over the entire surface area of the waste, and emissions must be vented through a closed-vent system to a control device that meets requirements found at 40 CFR 264.1087 or 265.1088. [40 CFR 264.1084(g)(1) and 265.1085(g)(1)]

Pressure Tank

- The tank should be designed not to vent to the atmosphere during filling to tank design capacity as a result of compression of the vapor head space in the tank. [40 CFR 264.1084(h)(1) and 265.1085(h)(1)]

- All tank openings must be equipped with closure devices designed to operate with no detectable organic

emissions as determined using the waste determination procedures given at 40 CFR 264.1083(d) or 265.1084(d). [40 CFR 264.1084(h)(2) and 265.1085(h)(2)]

Enclosure Vented to an Enclosed Combustion Control Device

- The tank must be in an enclosure that is vented to a closed vent system into an enclosed combustion control device, such as a vapor incinerator, boiler or process heater. [40 CFR 264.1084(i)(2) and 265.1085 (i)(2)]

What are Level 2 tank operating requirements?

Waste Transfer

Waste transfers requirements for all Level 2 regulated tanks are the same as those for Level 1 tanks (see Level 1 operating requirements, above, for details). [40 CFR 264.1084(j) and 265.1085(j)]

Fixed Roof with an Internal Floating Roof

- The following operating requirements found at 40 CFR 264.1084(e)(2) and 265.1085(e)(2) must be met:

  - When the floating roof is resting on the leg supports, the process of filling, emptying or refilling should be continuous and completed as soon as practical. [40 CFR 264.1084(e)(2)(i) and 265.1085(e)(2)(i)]

  - Automatic bleeder vents should be closed when the roof is floating, except when the roof is being landed or floated off the leg supports. [40 CFR 264.1084(e) (2)(ii) and 265.1085(e)(2)(ii)]

  - Before filling the tank, each cover, access hatch, gauge float well or lid on any opening in the internal floating roof should be closed with no visible gaps. Rim space vents may only be open when the internal floating roof is not floating or when the pressure beneath the rim exceeds the manufacturer's tank specifications. [40 CFR 264.1084(e)(2)(iii) and 265.1085(e)(2)(iii)]

  - Safety devices may be installed and operated as necessary on any tank complying with 40 CFR 264.1084(e). [40 CFR 264.1084(e)(4) and 265.1085(e)(4)]

External Floating Roof

- The following operating requirements must be met:

  - When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling should be continuous and completed as soon as practical. [40 CFR 264.1084(f)(2)(i) and 265.1085(f)(2)(i)]

  - Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, roof openings should be secured and closed at all times (except when the closure device must be opened for access). [40 CFR 264.1084(f)(2)(ii) and 265.1085(f)(2)(ii)]

  - Covers on each access hatch and each gauge float well should be bolted or fastened. [40 CFR 264.1084(f)(2)(iii) and 265.1085(f)(2)(iii)]

  - Automatic bleeder vents should be closed when the roof is floating, except when the roof is being landed or floated off the leg supports. [40 CFR 264.1084 (f)(2)(iv) and 265.1085(f)(2)(iv)]

  - Rim space vents should be set to open only when the roof is being floated off the leg supports or when the pressure beneath the rim seal exceeds the manufacturer's tank specifications. [40 CFR 264.1084(f)(2)(v) and 265.1085(f)(2)(v)]

  - Unslotted guidepole caps should be closed except when measuring the liquid level in the tank or collecting samples. [40 CFR 264.1084(f)(2)(vi) and 265.1085(f)(2)(vi)]

  - The cover on each gauge hatch or sample well should be closed except when opened for access. [40 CFR 264.1084(f)(2)(vii) and 265.1085(f) (2)(vii)]

  - Both the primary seal and the secondary seal should completely cover the annular space between the external floating roof and the tank wall in a continuous fashion, except during inspections. [40 CFR 264.1084(f)(2)(viii) and 265.1085(f)(2)(viii)]

  - Safety devices may be installed and operated as necessary on any tank complying with 40 CFR 264.1084(f). [40 CFR 264.1084(f)(4) and 265.1085(f)(4)]

Fixed Roof Venting to a Control Device

- The cover and closure devices must be closed at all times, except when performing routine inspections,

performing maintenance or other operations, accessing a tank, or removing accumulated sludge or other residues from a tank. [40 CFR 264.1084(g)(2)(i) and 265.1085(g)(2)(i)]

Pressure Tank

- The tank should be operated as a closed system that does not vent to the atmosphere, except in the event that a safety device, as defined in 40 CFR 265.1081, is required to avoid an unsafe condition. [40 CFR 264.1084(h)(3) and 265.1085(h)(3)]

Enclosure Vented to an Enclosed Combustion Control Device

- An enclosure used to control air emissions by venting through a closed system to a combustion control device must meet the design and operating criteria for a permanent total enclosure as specified in "Procedure T- Criteria for Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, Appendix B. [40 CFR 264.1084(i)(1) and 265.1085(i)(1)]

- Enclosures, control devices or closed-vent systems may have a safety relief device installed and operated in accordance with 40 CFR 264.1084(i)(1) & (i)(2). [40 CFR 264.1084(i)(3) and 265.1085(i)(3)]

What are the inspection and monitoring requirements?

Level 1 Tanks

- Owners/operators of Level 1 tanks must visually inspect the roof and closure devices to check for defects at the time they first manage hazardous waste and annually thereafter. Defects include visible cracks, holes, or gaps in roof sections or between the roof and tank wall, and damaged seals or gaskets on closure devices. [40 CFR 264.1084(c)(4)(i) & (ii) and 265.1085(c)(4)(i) & (ii)]

  If a defect is detected, repairs must be made within 45 days, except under special conditions found at 40 CFR 264.1084(k)(2) or 265.1085(k)(2). [40 CFR 264.1084(k) and 265.1085(k)]

Level 2 Tanks

- Owners/Operators of the following Level 2 tanks must visually inspect the roof and closure devices to check for defects (see listing above in Level 1 tanks) at the time they first manage hazardous waste and annually thereafter:

  - Internal floating roof
  [40 CFR 264.1084(e)(3)(i) and 265.1085(e)(3)(i)]

  - External floating roof
  [40 CFR 264.1084(f)(3)(ii) and 265.1085(f)(3)(ii)]

  - Tank venting to a control device
  [40 CFR 264.1084(g)(3)(i) and 265.1085(g)(3)(i)]

  If a defect is detected, repairs must be made within 45 days, except under special conditions found at 40 CFR 264.1084(k)(2) or 265.1085(k)(2). [40 CFR 264.1084(k) and 265.1085(k)]

- Owners/operators of internal floating roof tanks must visually inspect: [40 CFR 264.1084(e)(3)(ii) and 265.1085(e)(3)(ii)]

  - the internal floating roof components through openings on the fixed roof at least annually after the initial fill; and

  - the internal floating roof, primary seal, secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed, and at least every ten years.

- As an alternative to performing the inspections in 40 CFR 264.1084(e)(3)(ii) (*see above*) for an internal floating roof equipped with two seals mounted one above the other, the owner/operator may visually inspect the internal floating roof, primary and secondary seals, gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed, and at least every 5 years. [40 CFR 264.1084(e)(3)(iii) and 265.1085(e)(3)(iii)]

- Owners/operators of external floating roof tanks must measure external floating roof seal gaps of external floating roof tanks as specified in 40 CFR 264.1084 (f)(3)(i)(A-F) and 265.1085(f)(3)(i)(A-F). This includes:

  - measurement of gaps between the tank wall and primary seal within 60 days after initial operation and at least every five years, and

  - measurement of gaps between the tank wall and secondary seal within 60 days after initial operation and at least once every year.

- Inspect and monitor the closed-vent systems and control devices required in 40 CFR 264.1087(c)(7) and 265.1088(c)(7) for the following tanks:

  - Tank venting to a control device
  [40 CFR 264.1084(g)(3)(ii) and 265.1085(g)(3)(ii)]

- Tank in an enclosure
[40 CFR 264.1084(i)(4) and 264.1085(i)(4)]

These inspection and monitoring requirements include:

- Initial leak detection monitoring of the closed-vent system components to demonstrate that the system operates with no detectable emissions, as indicated by an instrument reading of less than 500 ppmw above background; [40 CFR 264.1033(l)(1)(i)]

- Annual visual inspection of the closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed; [40 CFR 264.1033(l)(1)(ii)(A)

- Monitor a component or connection using the procedures specified in 40 CFR 264.1034(b) to demonstrate that it operates with no detectable emissions following any time the component is repaired or replaced, or the connection is unsealed; [40 CFR 264.1033(l)(1)(ii)(A)] and

- Other closed-vent system components or connections other than those specified in 264.1033(l)(1)(ii)(A) must be monitored annually and at other times as requested by the EPA Regional Administrator (RA). [40 CFR 264.1033(l)(1)(ii)(B)]

What are the recordkeeping requirements for tanks?

The following records must be maintained for a minimum of three years:

- For all tanks, the owners/operators must document the tank identification number (or some other unique identification), and inspection information (including the date of the inspection and any defects found). [40 CFR 264.1089(b)(1) and 265.1090(b)(1)]

- For fixed roof tanks complying with Tank Level 1 controls, a record of the MOVP determinations must be kept, including the date and time samples were collected, analysis method used and analysis results. [40 CFR 264.1089(b)(2)(i) and 265.1090(b)(2)(i)]

- Documentation describing the internal floating roof design, showing that it meets the design requirements of 40 CFR 264.1084(e)(1). [40 CFR 264.1089(b)(2)(ii) and 265.1090(b)(2)(ii)]

- Documentation describing the external floating roof design and the tanks dimensions, as well as records for seal gap inspections required by 40 CFR 264.1084(f)(3) and the results of those measurements. [40 CFR 264.1089(b)(2)(iii) and 265.1090 (b)(2)(iii)]

- Tanks using an enclosure venting to an enclosed combustion control device must maintain a copy of: (1) the design documentation for enclosures (including the most recent set of "Procedure T" calculations and measurements); and (2) documentation and routine maintenance records for closed-vent systems and control devices. [40 CFR 264.1089(b)(2)(iv) and 265.1090(b)(2)(iv)]

- For all tanks, a written plan and schedule must be included in the inspection plan for the facility. [40 CFR 264.1088(b) and 265.1089(b)]

- In addition, the following occurrences trigger recordkeeping requirements:

  - Exemption of the tank from standards in accordance with the provisions of 40 CFR 264.1082(c) or 265.1083(c). For tanks exempt under 264.1082 (c)(2), the owners/operators must record the information used for each waste determination and, if applicable, a record of the date, time and location that each sample is collected. For tanks exempted under 264.1082(c)(2)(vii) or (c)(2)(viii), the owners/operators must record the identification number for the incinerator, boiler or industrial furnace in which the hazardous waste is treated. [40 CFR 264.1089(f) and 265.1090(f)]

  - Designating a cover as "unsafe to inspect and monitor" pursuant to 40 CFR 264.1084(l) or 264.1085(g). A record of the identification number of the waste management units and an explanation of why the cover was unsafe, and the plan and schedule for inspecting and monitoring each cover must be kept. [40 CFR 264.1089(g) and 265.1090(g)]

  - Electing to use documentation pursuant to 40 CFR Part 60, Subpart VV, or 40 CFR Part 61, Subpart V. A record of this documentation must be kept in the facility. [40 CFR 264.1089(h) and 265.1090(h)]

  - Claiming that standards are not applicable to a tank or container meeting 40 CFR 264.1080(d) (i.e., hazardous waste generated by organic peroxide manufacturing and associated laboratory operations). Information to be recorded includes a list of individual organic peroxide compounds manufactured and a description of how the waste is managed in a facility's tanks. [40 CFR 264.1089(i) and 265.1090(i)];

- Claiming that the standards are not applicable to a tank meeting 40 CFR 264.1087(b)(7) (the tank is being operated in accordance with Clean Air Act regulations. [40 CFR 264.1089(j) and 265.1090(j)]

What are the reporting requirements for tanks?

All Tanks

- For each tank that is exempted from using air emission controls under 40 CFR 264.1082(c), report to the RA each occurrence when hazardous waste is placed in a tank in noncompliance with the conditions specified in 40 CFR 264.1082(c)(1) or (c)(2). An example of such an occurrence would include placing a hazardous waste in a tank when the waste has an average VO greater than or equal to 500 ppmw at the point of waste origination. [40 CFR 264.1090(a)]

- For each tank using air emission controls on a tank in accordance with 40 CFR 262.1084(c), report to the RA each occurrence when hazardous waste is managed in a the tank in noncompliance with the conditions specified in 40 CFR 264.1084(b). [40 CFR 264.1090(b)]

Tanks Venting to a Control Device

- A semiannual report that describes each occurrence during the previous six-month period when either:

  - A control device is operated continuously for 24 hours or longer in noncompliance with the operating values defined in 40 CFR 264.1035(c)(4); [40 CFR 264.1090(c)(1)] or

  - A flare is operated with visible emissions for five minutes or longer in a two-hour period, as defined in 40 CFR 264.1033(d). [40 CFR 264.1090(c)(2)]

  The written report should include the EPA identification number, facility name and address, an explanation why the control device could not be returned to compliance within 24 hours, and actions taken to correct the noncompliance. [40 CFR 264.1090(c)]

Internal Floating Roof Tanks

- Owners/operators of internal floating roof tanks subject to subpart CC must notify the RA, in advance, of the date and location of each of the following inspections so that the RA has the opportunity to have an observer present during the inspection [40 CFR 264.1084(e)(3)(iv) and 265.1085(e)(3)(iv)]:

  - visual inspections of an internal floating roof in a tank that has been emptied and degassed (written notification must be received by the RA 30 days before refilling the tank); [40 CFR 264.1084 (e)(3)(iv)(A) and 265.1085(e)(3)(iv)(A)] and

  - unplanned visual inspections (telephone notification at least 7 days prior to refilling the tank, with a written explanation for why there was an unplanned inspection). [40 CFR 264.1084(e)(3)(iv)(B) and 265.1085(e)(3)(iv)(B)]

External Floating Roof Tanks

- Owners/operators of external floating roof tanks subject to subpart CC must notify the RA in advance, of the date and location of each of the following inspections so that the RA has the opportunity to have an observer present during the inspection: [40 CFR 264.1084(f)(3)(iii) and 265.1085(f)(3)(iii)]

  - inspection to measure external floating roof seal gaps (written notification must be received by the RA 30 days before the measurements are scheduled to be performed); [40 CFR 264.1084(f)(3)(iii)(A) and 265.1085(f)(3)(iii)(A)]

  - prior to each visual inspection of an external floating roof in a tank that has been emptied and degassed (written notification must be received by the RA 30 days prior to the inspection); [40 CFR 264.1084 (f)(3)(iii)(B) and 265.1085(f)(3)(iii)(B)] and

  - unplanned visual inspections (telephone notification at least 7 days prior to refilling the tank, with a written explanation for why there was an unplanned inspection). [40 CFR 264.1084(f)(3)(iii)(C) and 265.1085(f)(3)(iii)(C)]

Questions of policy or questions requiring policy decisions will not be dealt with in EH-413 Information Briefs unless that policy already has been established through appropriate documentation. Please refer any questions concerning the subject material covered in this Information Brief to:

Jerry Coalgate,
RCRA/CERCLA Division
EH-413, 202-586-6075
jerry.coalgate@eh.doe.gov