

ENVIRONMENTAL PROTECTION AGENCY

AGENCY: Environmental Protection Agency (**EPA**).

40 CFR Part 60

Standards of Performance for New Stationary Sources Petroleum Refineries; Clarifying
Amendment

[AD-FRL-1638-9]

45 FR 79452

December 1, 1980

ACTION: Final rule.

SUMMARY: This action clarifies which gaseous fuels used at petroleum refineries are covered by the existing standards of performance for petroleum refineries (40 CFR 60, Subpart J) and is implemented under the authority of Section 111 of the Clean Air Act. This action does not change the environmental, energy, and economic impacts of the existing standards.

EFFECTIVE DATE: December 1, 1980.

ADDRESSES: Docket No. A-79-56, containing all supporting information used by EPA in supporting this action, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at EPA's Central Docket Section, West Tower Lobby, Gallery 1, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

Ms. Susan R. Wyatt, Emission Standards and Engineering Division (MD-13), Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number, (919) 541-5477.

TEXT:

SUPPLEMENTARY INFORMATION:

Summary of Amendment

The amendment as promulgated defines fuel gas as any gas which is generated at a refinery and which is combusted. It also includes natural gas when it is combined and combusted with a gas generated at a refinery. Gases generated by catalytic cracking unit catalyst regenerators and fluid coking burners are excluded from the definition of fuel gas.

The final amendment contains a minor wording change, but does not substantively differ from the proposed amendment. This action does not have any impact on the coverage of the existing standard and does not affect the economic, energy or environmental impacts of the present standard.

Summary of Comments and Changes to the Proposed Amendment

On March 3, 1980, EPA proposed in the Federal Register ([45 FR 13991](#)) an amendment intended to clarify the definition of fuel gas which is included in [40 CFR 60.101](#). The amendment proposed

on March 3, 1980, defined fuel gas as "natural gas generated at a petroleum refinery, or any gas generated by a refinery process unit, which is combusted separately or in any combination with any type of natural gas." It excluded gases generated by catalytic cracking unit catalyst regenerators and fluid coking burners. The previous definition of fuel gas has been "natural gas or any gas generated by a petroleum refinery process unit which is combusted separately or in any combination." The purpose of the proposed amendment of March 3, 1980, was to clarify that natural gas produced outside of a refinery is not covered by the definition of fuel gas, unless the natural gas is combined with gases produced at a refinery. The purpose of the standard in 40 CFR 60, Subpart J is to prevent emissions of sulfur dioxide resulting from the burning of gaseous fuels containing hydrogen sulfide. If commercial natural gas is combusted, there is essentially no potential for sulfur dioxide emissions since this gas has to be relatively free of hydrogen sulfide in order to meet pipeline specifications.

Another purpose of the amendment proposed on March 3, 1980, was to clarify that any gas with the composition of natural gas which is generated at the refinery where it is combusted is covered by the definition of fuel gas. There are a number of gases generated on-site at a refinery, such as propane, butane, by-product gas resulting from catalytic cracking and reforming/hydrating processes, and occasionally, methane and ethane. Since these gases do not have to be treated to meet pipeline specifications, combustion of these gases can be a significant source of sulfur dioxide emissions.

Interested persons were given an opportunity to comment on the proposed change during a 60-day comment period which ended on May 2, 1980. Three comment letters were received, two from oil industry representatives and a third from a State environmental agency. All commenters agreed, in principle, with the definition of fuel gas included in the proposed action. However, the commenters expressed concern over the specific wording of the definition. One commenter said the wording used was generally confusing. The other two commenters specifically expressed concern over the phrase "natural gas generated at a petroleum refinery", since they argued natural gas is not conventionally thought of as being generated at a petroleum refinery.

EPA agrees that gases generated at a refinery which have the same composition as natural gas are not commonly referred to as natural gas. Furthermore, defining fuel gas as "any gas which is generated at a petroleum refinery" includes any gas which has the composition of natural gas. Therefore, the amendment which is being promulgated has been changed to remove the terminology "natural gas generated at a refinery." However, the intent and substance of the promulgated amendment is the same as the proposed amendment.

Docket

Docket No. A-79-56, containing all supporting information used by EPA, is available for public inspection and copying between 8:00 a.m. and 4:00 p.m., Monday through Friday, at EPA's Central Docket Section, West Tower Lobby, Gallery 1 (see Addresses section of this preamble).

The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can intelligently and effectively participate in the rulemaking process. Along with the statement of basis and purpose of the promulgated rule and EPA responses to comments, the contents of the dockets will serve as the record in case of judicial review [Section 307(d)(a)].

Miscellaneous

The effective date of this amendment is (date of promulgation). It applies to any affected facilities covered by Subpart J of 40 CFR Part 60.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other

specialized development procedures. These other regulations are labeled "specialized." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Dated: November 24, 1980.

Douglas M. Costle,
Administrator.

Part 60 of chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

1. Section 60.101 is amended by revising paragraph (d) as follows:

§ 60.101 Definitions.

* * * * *

(d) "Fuel gas" means any gas which is generated at a petroleum refinery and which is combusted. Fuel gas also includes natural gas when the natural gas is combined and combusted in any proportion with a gas generated at a refinery. Fuel gas does not include gases generated by catalytic cracking unit catalyst regenerators and fluid coking burners.

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(Secs. 111 and 301(a) of the Clean Air Act is amended ([42 U.S.C. Sections 7411](#) and 7601(a))).
[FR Doc. 80-37246 Filed 11-28-80; 8:45 am]

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