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**A595.** 40 CFR § 98.238 defines a flare as "...a combustion device, whether at ground level or elevated, that uses an open or closed flame to combust waste gases without energy recovery." An open pipe without combustion would not be considered a flare, but any hydrocarbon releases through it would be considered "vented emissions" under §98.238, which includes "process designed flow to the atmosphere through seals or vent pipes."

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