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required to report heat input for purposes of allocating allowances shall also report the maximum potential hourly heat input of the unit, as defined in § 72.2 of this chapter.

(6) For any unit using continuous emissions monitors, the procedures in § 75.20(b)(3).

(h) *Petitions.* (1) The designated representative of an affected unit that is subject to an Acid Rain emissions limitation may submit a petition to the Administrator requesting an alternative to any requirement of this subpart. Such a petition shall meet the requirements of § 75.66 and any additional requirements established by an applicable State or federal NO<sub>x</sub> mass emission reduction program that adopts the requirements of this subpart. Use of an alternative to any requirement of this subpart is in accordance with this subpart and with such State or federal NO<sub>x</sub> mass emission reduction program only to the extent that the petition is approved by the Administrator, in consultation with the permitting authority.

(2) Notwithstanding paragraph (h)(1) of this section, petitions requesting an alternative to a requirement concerning any additional CEMS required solely to meet the common stack provisions of § 75.72 shall be submitted to the permitting authority and the Administrator and shall be governed by paragraph (h)(3)(ii) of this section. Such a petition shall meet the requirements of § 75.66 and any additional requirements established by an applicable State or federal NO<sub>x</sub> mass emission reduction program that adopts the requirements of this subpart.

(3)(i) The designated representative of an affected unit that is not subject to an Acid Rain emissions limitation may submit a petition to the permitting authority and the Administrator requesting an alternative to any requirement of this subpart. Such a petition shall meet the requirements of § 75.66 and any additional requirements established by an applicable State or federal NO<sub>x</sub> mass emission reduction program that adopts the requirements of this subpart.

(ii) Use of an alternative to any requirement of this subpart is in accordance with this subpart only to the ex-

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tent that it is approved by the Administrator and by the permitting authority if required by an applicable State or federal NO<sub>x</sub> mass emission reduction program that adopts the requirements of this subpart.

[63 FR 57507, Oct. 27, 1998, as amended at 64 FR 28624, May 26, 1999]

### § 75.71 Specific provisions for monitoring NO<sub>x</sub> emission rate and heat input for the purpose of calculating NO<sub>x</sub> mass emissions.

(a) *Coal-fired units.* The owner or operator of a coal-fired affected unit shall either:

(1) Meet the general operating requirements in § 75.10 for a NO<sub>x</sub>-diluent continuous emission monitoring system (consisting of a NO<sub>x</sub> pollutant concentration monitor, an O<sub>2</sub>- or CO<sub>2</sub>-diluent gas monitor, and a data acquisition and handling system) to measure NO<sub>x</sub> emission rate and for a flow monitoring system and an O<sub>2</sub>- or CO<sub>2</sub>-diluent gas monitor to measure heat input, except as provided in accordance with subpart E of this part; or

(2) Meet the general operating requirements in § 75.10 for a NO<sub>x</sub> concentration monitoring system (consisting of a NO<sub>x</sub> pollutant concentration monitor and a data acquisition and handling system) to measure NO<sub>x</sub> concentration and for a flow monitoring system. In addition, if heat input is required to be reported under the applicable State or federal NO<sub>x</sub> mass emission reduction program that adopts the requirements of this subpart, the owner or operator also must meet the general operating requirements for a flow monitoring system and an O<sub>2</sub>- or CO<sub>2</sub>-diluent gas monitor to measure heat input, or, if applicable, use the procedures in appendix D to this part. These requirements must be met, except as provided in accordance with subpart E of this part.

(b) *Moisture correction.* (1) If a correction for the stack gas moisture content is needed to properly calculate the NO<sub>x</sub> emission rate in lb/mmBtu (i.e., if the NO<sub>x</sub> pollutant concentration monitor in a NO<sub>x</sub>-diluent monitoring system measures on a different moisture basis from the diluent monitor), the owner or operator of an affected unit shall account for the moisture content of the

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flue gas on a continuous basis in accordance with § 75.12(b).

(2) If a correction for the stack gas moisture content is needed to properly calculate NO<sub>x</sub> mass emissions in tons, in the case where a NO<sub>x</sub> concentration monitoring system which measures on a dry basis is used with a flow rate monitor to determine NO<sub>x</sub> mass emissions, the owner or operator of an affected unit shall account for the moisture content of the flue gas on a continuous basis in accordance with § 75.11(b) except that the term "SO<sub>2</sub>" shall be replaced by the term "NO<sub>x</sub>."

(3) If a correction for the stack gas moisture content is needed to properly calculate NO<sub>x</sub> mass emissions, in the case where a diluent monitor that measures on a dry basis is used with a flow rate monitor to determine heat input, which is then multiplied by the NO<sub>x</sub> emission rate, the owner or operator shall install, operate, maintain and quality assure a continuous moisture monitoring system, as described in § 75.11(b).

(c) *Gas-fired nonpeaking units or oil-fired nonpeaking units.* The owner or operator of an affected unit that, based on information submitted by the designated representative in the monitoring plan, qualifies as a gas-fired or oil-fired unit but not as a peaking unit, as defined in § 72.2 of this chapter, shall either:

(1) Meet the requirements of paragraph (a) of this section and, if applicable, paragraph (b) of this section; or

(2) Meet the general operating requirements in § 75.10 for a NO<sub>x</sub>-diluent continuous emission monitoring system, except as provided in accordance with subpart E of this part, and use the procedures specified in appendix D to this part for determining hourly heat input. However, the heat input apportionment provisions in section 2.1.2 of appendix D to this part shall not be used to meet the NO<sub>x</sub> mass reporting provisions of this subpart, except as provided in § 75.72(a); or

(3) Meet the requirements of the low mass emission excepted methodology under paragraph (e)(2) of this section and under § 75.19, if applicable.

(d) *Gas-fired or oil-fired peaking units.* The owner or operator of an affected unit that qualifies as a peaking unit

and as either gas-fired or oil-fired, as defined in § 72.2 of this chapter, based on information submitted by the designated representative in the monitoring plan, shall either:

(1) Meet the requirements of paragraph (c) of this section; or

(2) Use the procedures in appendix D to this part for determining hourly heat input and the procedure specified in appendix E to this part for estimating hourly NO<sub>x</sub> emission rate. However, the heat input apportionment provisions in section 2.1.2 of appendix D to this part shall not be used to meet the NO<sub>x</sub> mass reporting provisions of this subpart. In addition, if after certification of an excepted monitoring system under appendix E to this part, the operation of a unit that reports emissions on an annual basis under § 75.74(a) of this part exceeds a capacity factor of 20.0 percent in any calendar year or exceeds an annual capacity factor of 10.0 percent averaged over three years, or the operation of a unit that reports emissions on an ozone season basis under § 75.74(b) of this part exceeds a capacity factor of 20.0 percent in any ozone season or exceeds an ozone season capacity factor of 10.0 percent averaged over three years, the owner or operator shall meet the requirements of paragraph (c) of this section or, if applicable, paragraph (e) of this section by no later than December 31 of the following calendar year.

(e) *Low mass emissions units.* Notwithstanding the requirements of paragraphs (c) and (d) of this section, the owner or operator of an affected unit that qualifies as a low mass emissions unit under § 75.19(a) shall comply with one of the following:

(1) Meet the applicable requirements specified in paragraphs (c) or (d) of this section; or

(2) Use the low mass emissions excepted methodology in § 75.19(c) for estimating hourly emission rate, hourly heat input, and hourly NO<sub>x</sub> mass emissions.

(f) *Other units.* The owner or operator of an affected unit that combusts wood, refuse, or other materials shall comply with the monitoring provisions specified in paragraph (a) of this section

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and, where applicable, paragraph (b) of this section.

[63 FR 57508, Oct. 27, 1998, as amended at 64 FR 28624, May 26, 1999]

**§ 75.72 Determination of NO<sub>x</sub> mass emissions.**

Except as provided in paragraphs (e) and (f) of this section, the owner or operator of an affected unit shall calculate hourly NO<sub>x</sub> mass emissions (in lbs) by multiplying the hourly NO<sub>x</sub> emission rate (in lbs/mmBtu) by the hourly heat input (in mmBtu/hr) and the hourly operating time (in hr). The owner or operator shall also calculate quarterly and cumulative year-to-date NO<sub>x</sub> mass emissions and cumulative NO<sub>x</sub> mass emissions for the ozone season (in tons) by summing the hourly NO<sub>x</sub> mass emissions according to the procedures in section 8 of appendix F to this part.

(a) *Unit utilizing common stack with other affected unit(s).* When an affected unit utilizes a common stack with one or more affected units, but no non-affected units, the owner or operator shall either:

(1) Record the combined NO<sub>x</sub> mass emissions for the units exhausting to the common stack, install, certify, operate, and maintain a NO<sub>x</sub>-diluent continuous emissions monitoring system in the common stack, and either:

(i) Install, certify, operate, and maintain a flow monitoring system at the common stack. The owner or operator also shall provide heat input values for each unit, either by monitoring each unit individually using a flow monitor and a diluent monitor or by apportioning heat input according to the procedures in § 75.16(e)(5); or

(ii) If any of the units using the common stack are eligible to use the procedures in appendix D to this part,

(A) Use the procedures in appendix D to this part to determine heat input for that unit; and

(B) Install, certify, operate, and maintain a flow monitoring system in the duct to the common stack for each remaining unit; or

(2) Install, certify, operate, and maintain a NO<sub>x</sub>-diluent continuous emissions monitoring system in the duct to the common stack from each unit and either:

(i) Install, certify, operate, and maintain a flow monitoring system in the duct to the common stack from each unit; or

(ii) For any unit using the common stack and eligible to use the procedures in appendix D to this part,

(A) Use the procedures in appendix D to determine heat input for that unit; and

(B) Install, certify, operate, and maintain a flow monitoring system in the duct to the common stack for each remaining unit.

(b) *Unit utilizing common stack with nonaffected unit(s).* When one or more affected units utilizes a common stack with one or more nonaffected units, the owner or operator shall either:

(1) Install, certify, operate, and maintain a NO<sub>x</sub>-diluent continuous emission monitoring system in the duct to the common stack from each affected unit; and

(i) Install, certify, operate, and maintain a flow monitoring system in the duct to the common stack from each affected unit; or

(ii) For any affected unit using the common stack and eligible to use the procedures in appendix D to this part,

(A) Use the procedures in appendix D to determine heat input for that unit; however, the heat input apportionment provisions in section 2.1.2 of appendix D to this part shall not be used to meet the NO<sub>x</sub> mass reporting provisions of this subpart; and

(B) Install, certify, operate, and maintain a flow monitoring system in the duct to the common stack for each remaining affected unit that exhausts to the common stack; or

(2) Install, certify, operate, and maintain a NO<sub>x</sub>-diluent continuous emission monitoring system in the common stack; and

(i) Designate the nonaffected units as affected units in accordance with the applicable State or federal NO<sub>x</sub> mass emissions reduction program and meet the requirements of paragraph (a)(1) of this section; or

(ii) Install, certify, operate, and maintain a flow monitoring system in the common stack and a NO<sub>x</sub>-diluent continuous emission monitoring system in the duct to the common stack