

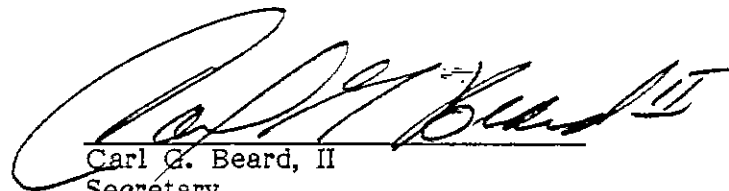
NOTICE OF PUBLIC HEARINGS

Pursuant to Chapter 16, Article 20 and Chapter 29A Code of West Virginia and the Federal Clean Air Act, notice is hereby given that public hearings will be held by the West Virginia Air Pollution Control Commission concerning the following:

- (1) Adoption of proposed Regulation XX - "Good Engineering Practice as Applies to Stack Heights".
- (2) Adoption of proposed Regulation XXII - "Continuous Emissions Monitoring".
- (3) Adoption of proposed amendments to existing Regulation XXV - "To Prevent and Control Air Pollution From Hazardous Waste Treatment, Storage, or Disposal Facilities"

The hearings will be held on Wednesday, November 30, 1983 beginning at 9:15 a.m. in the Commission's Conference Room located at 1558 Washington Street, East, Charleston, West Virginia. All interested persons are invited to attend and be heard.

Any person, firm, corporation, partnership or association who desires to submit exhibits or other writings as evidence into the record of a public hearing held pertaining to the promulgation or amendment of a rule or regulation of the Commission shall submit the exhibits or other documentary evidence and eleven (11) copies thereof.



Carl G. Beard, II
Secretary
West Virginia Air Pollution
Control Commission

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE 9/30/83
Administrative Law Division



STATE OF WEST VIRGINIA
OFFICE OF THE SECRETARY OF STATE
CHARLESTON 25305

JAMES MANCHIN
SECRETARY OF STATE

STATE REGISTER FILING

I, Carl G. Beard, II, Secretary,
Title or Position

WV Air Pollution Control Commission, hereby submit to record in
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify Fiscal Note

This filing pertains to

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE

THIS DATE Oct. 18/1983
Administrative Law Division

Chapter 16
Article 20
Series XXII
Section _____
Page No. _____

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

October 18, 1983

Date Submitted

Carl G. Beard, II

Signature of Person Authorizing
this Filing Secretary



WEST VIRGINIA
AIR POLLUTION CONTROL COMMISSION
1558 Washington Street, East
CHARLESTON, WEST VIRGINIA 25311
TELEPHONE: 348-2275 OR 348-3286

Regulation XXII

"Continuous Emissions Monitoring"

FISCAL NOTE

I. PURPOSE:

Regulation XXII will enable the West Virginia Air Pollution Control Commission to implement the Federal Clean Air Act and United States Environmental Protection Agency requirements and to have an approvable State Implementation Plan by US EPA.

II. COST:

- (1) As Regulation XXII will be a delegated US EPA program, the financial support for this program will be part of the US EPA Federal grant to the APCC.
- (2) Under the Federal Clean Air Act, all manufacturing facilities are required to meet the requirements of Regulation XXII either with US EPA or the APCC. There would be no additional cost to the source.

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 10/18/83
Administrative Law Division

PROPOSED REGULATION

WEST VIRGINIA ADMINISTRATIVE REGULATIONS

Subject: Regulation XXII - "Continuous Emissions Monitoring"

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Section 2. Requirements.

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Section 4. Minimum Emission Monitoring Requirements.

FILED IN THE OFFICE OF
A. JAMES MANCHIN
SECRETARY OF STATE
THIS DATE 9/30/83
Administrative Law Division

WEST VIRGINIA ADMINISTRATIVE REGULATIONS
Air Pollution Control Commission

Chapter 16-20
Series XXII
(1983)

Subject: Regulation XXII - "Continuous Emissions Monitoring"

Section 1. General.

1.01. Scope.

This regulation requires certain stationary sources to install, maintain, and operate equipment for continuous monitoring and recording certain emissions and to provide other information as specified in 40 CFR, Part 51, Appendix P.

1.02. Authority.

This regulation is issued under the authority of the West Virginia Code, Chapter 16, Article 20, Section 5. This regulation relates to West Virginia Code, Chapter 16, Article 20, Sections 1 through 13 inclusive.

1.03. Filing Date.

This regulation was promulgated on the _____ day of _____, 19____, and was filed with the office of the Secretary of State the _____ day of _____, 19____.

1.04. Effective Date.

The effective date of this regulation is the _____ day of _____, 19____.

1.05. Type.

This regulation is a legislative rule as defined in West Virginia Code, Chapter 29A, Article 2.

Section 2. Requirements.

2.01. Owners or operators of existing sources specified below shall install, calibrate, maintain and operate systems for continuously monitoring and recording emissions of specified pollutants.

(1) (a) Fossil-fuel fired steam generators of greater than 250 million Btu per hour maximum heat input with an annual average capacity factor of greater than thirty (30) percent (as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the Commission by the owner) shall be monitored for opacity except where:

(i) Gaseous fuel is the only fuel burned, or

(ii) Oil or a mixture of gas and oil are the only fuels burned and the facility is able to comply with applicable particulate matter and visible emission standards without utilization of particulate matter collection equipment, and where the facility has never been found, through any administrative or judicial proceedings, to be in violation of any visible emission standard.

(b) Fossil-fuel fired steam generators of greater than 250 million Btu per hour maximum heat input shall be monitored for sulfur dioxide emissions.

(c) Fossil-fuel fired steam generators of greater than 1,000 million Btu per hour maximum heat input where such facility is located in an Air Quality Control Region where the US Environmental Protection Agency Administrator has specifically determined that a control strategy for nitrogen dioxide is necessary to attain the national standards, such sources shall be monitored for nitrogen oxide emissions.

(d) Fossil-fuel fired steam generators where measurements of oxygen or carbon dioxide in the fuel gas are required to convert either sulfur dioxide or nitrogen oxides continuous emission monitoring data, or both, to units of an emission standard promulgated by the Commission, such sources shall be monitored for percent oxygen or at the option of the owner or operator, carbon dioxide.

(2) Nitric acid plants of greater than 300 tons per day production capacity (the production capacity being expressed as 100 percent acid) shall be monitored for nitrogen oxides emissions.

(3) Sulfuric acid plants of greater than 300 tons per day production capacity (the production capacity being expressed as 100 percent acid) shall be monitored for sulfur dioxide emissions.

(4) Catalyst regenerators for fluid bed catalytic cracking units of greater than 20,000 barrels per day fresh feed capacity at petroleum refineries shall be monitored for opacity.

2.02. All continuous monitoring systems and monitoring devices shall be installed and operational within eighteen (18) months after the effective date of this regulation. Verification of operational status shall, as a

minimum, consist of the completion of the conditioning period specified by applicable requirements in Appendix B of 40 CFR Part 60.

2.03. Within thirty (30) days after the date set forth in Subsection 2.02 of this regulation and at such other times as may be requested by the Director, the owner of any existing source shall conduct continuous monitoring system performance evaluations and furnish the Director within sixty (60) days thereof two copies of a written report of the results of such tests.

2.04. Unless otherwise approved by the Commission, all continuous monitoring systems required by Subsection 2.01 of this regulation shall be installed, calibrated, maintained and operated in accordance with applicable requirements in this section and 40 CFR Part 60, Appendix B.

2.05. After receipt and consideration of written application, the Commission may approve alternatives to any monitoring procedures or requirements of this section including, but not limited to, the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water ~~or~~ other interferences caused by substances with the effluent gases.

(2) Alternative monitoring requirements when the source is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner can demonstrate the installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for computing emission averages that do not require integration of data (e.g., some facilities may demonstrate that the variability of their emissions is sufficiently small to allow accurate reduction of data based upon computing averages from equally spaced data points over the averaging period).

(7) Alternative monitoring requirements when the emissions from a single source or the combined emissions from two or more sources are released to the atmosphere through more than one point.

(8) Alternative procedures for performing calibration checks.

(9) Alternative monitoring requirements when the requirements of this regulation would impose an extreme economic burden on the owner or operator.

(10) Alternative monitoring requirements when the continuous monitoring system cannot be installed due to physical limitations at the source.

(11) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1 of Appendix B of 40 CFR Part 60, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of

opacity by a system complying with the requirements in Performance Specification 1 of Appendix B of 40 CFR Part 60. The Commission may require that such demonstration be performed for each source.

Section 3. Notification, Records, and Reporting.

3.01. Any owner or operator of an existing source subject to the provisions of this regulation shall furnish the Commission written notifications as follows:

(1) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with Subsection 2.03 of this regulation. Notification shall be postmarked not less than fifteen (15) days prior to such date.

(2) A notification of the date of any emission test the owner or operator wishes the Commission to consider in determining compliance with a standard. Notification shall be postmarked not less than fifteen (15) days prior to such date.

3.02. The owner or operator of an existing source subject to the provisions of Subsection 2.01 of this regulation shall maintain records of the occurrence and duration of any startup, shutdown or malfunction in the operation of such source; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

3.03. Each owner or operator required to install a continuous monitoring system shall submit a written report of excess emissions to the Commission for every calendar quarter. All quarterly reports shall be postmarked by

the 30th day following the end of each calendar quarter and shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR Part 51, Appendix P, any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired or adjusted, such information shall be stated in the report.

3.04. The owner or operator of an existing source subject to the provision of this regulation shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and emission testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two (2)

years following the date of such measurements, maintenance, reports and records.

- 3.05. Upon request of the Commission, the owner or operator of an existing source subject to the provisions of this regulation shall provide additional notifications and reports, revise reports, maintain other records or report other emission test or monitoring results in a manner and form and using procedures acceptable to the Commission.

Section 4. Minimum Emission Monitoring Requirements.

The Commission hereby adopts by reference as if fully set forth herein all other continuous monitoring and recording requirements as set forth in 40 CFR Part 51, Appendix P as of the _____ day of _____, 1983, except that Subsection 4.2 of Appendix P shall not apply and the following shall be substituted in lieu thereof:

4.2. For opacity measurements the summary shall consist of instantaneous emissions data taken on fifteen (15) second intervals. However, only opacity measurements greater than the opacity standard in the applicable regulation shall be reported. If more than one (1) opacity standard applies, such emissions data must be substituted for all such standards.