UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

Reply To
Attn Of: OAQ-107

27 JAN 2005

John Kuterbach
Manager, Air Permits Program
Alaska Department of Environmental Conservation
410 Willoughby Ave. Suite 303
Juneau, Alaska 99801-1795

Re: Periodic Monitoring in Title V Permits for Turbines Subject to NSPS Subpart GG

Dear Mr. Kuterbach:

The purpose of this letter is to provide EPA's interpretation regarding periodic monitoring requirements for turbines that are subject to 40 CFR Part 60, Subpart GG of the New Source Performance Standards (NSPS). Jim Baumgartner of your staff requested EPA's interpretation of whether periodic monitoring must be added to Title V permits when the underlying requirement does not contain a specific periodic monitoring requirement, such as the case in Subpart GG for turbines that do not use control devices to meet the NOx limit. After discussions with EPA headquarters and other EPA Regions, we have concluded that for such turbines subject to Subpart GG and Title V, periodic monitoring must be created in the Title V permit.

Pursuant to 40 CFR § 70.6(a)(3)(i)(B), where an applicable requirement does not require periodic testing or instrumental or non-instrumental monitoring, the Title V permit must contain periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit. There are many turbines operating in Alaska that are subject to Subpart GG and Title V. In § 60.332, Subpart GG contains emission limits for nitrogen oxides (NOx); however, for turbines that do not use control devices to meet the NOx limit a monitoring option is suggested but not specifically required in § 60.334(c) and (e). This applies to turbines constructed, modified or reconstructed between October 3, 1977, and July 8, 2004, as well as to those constructed on or after July 8, 2004. For these turbines, Title V permits must add "gap-filling" periodic monitoring requirements that meet § 70.6(a)(3)(i)(B). If a permittee elects to use the periodic NOx monitoring option suggested in Subpart GG, ADEC can assume that the Subpart GG monitoring meets § 70.6(a)(3)(i)(B).

The initial Title V permits issued by Alaska Department of Environmental Conservation (ADEC) included periodic monitoring, often in the form of periodic testing, to address the monitoring gap in Subpart GG. Note that EPA revised Subpart GG in July 2004, but that revision did not address the gap in NOx monitoring for uncontrolled turbines. Also note that EPA re-interpreted the Part 70 Title V regulation January 22, 2004, (69 FR 3202), but that re-interpretation did not change EPA's position that gap-filling monitoring is required by Title V when the underlying applicable requirement does not contain periodic monitoring.

We understand that over 35 companies have approached your agency requesting that ADEC remove the periodic monitoring established in the originally-issued Title V permits for ensuring compliance with the NOx emission limit in Subpart GG. We also understand that ADEC has begun to make those requested revisions. For permits that ADEC has already modified by removing the periodic monitoring for the NOx limit, ADEC must reopen those permits and add sufficient periodic monitoring consistent with § 70.6(a)(3)(i)(B). For permits that ADEC is currently revising to remove the periodic monitoring for the NOx limit, ADEC must ensure the permits contain sufficient monitoring consistent with § 70.6(a)(3)(i)(B) before final issuance.

I hope that we have provided enough guidance for you to successfully address the need for periodic monitoring in Title V permits where there are gaps in the underlying applicable requirement. If you have any questions or wish to discuss this further, please contact Doug Hardesty in our Boise office at (208) 378-5759.

Sincerely,

Jeff KenKnight, Manager
Federal & Delegated Air Programs Unit
Office of Air, Waste and Toxics

cc: John Pavitt, EPA Region 10, AOO
Anita Frankel, EPA Region 10