

## **.10 Continuous Opacity Monitoring Requirements.**

### A. Applicability and Exceptions.

(1) The provisions of this regulation apply to:

(a) Fuel burning equipment burning coal, fuel oil, tars, or waste combustible fluid at any time and that has a rated heat input capacity of 250 million Btu per hour or greater;

(b) Fuel burning equipment burning coal with a rated heat input capacity of 100 million Btu per hour or greater but less than 250 million Btu per hour and was constructed on or before June 19, 1984;

(c) A cement kiln;

(d) A fluidized bed combustor of any size; and

(e) A municipal waste combustor with a burning capacity of 35 tons or greater per day.

(2) The owner or operator of an installation subject to this regulation may also be subject to the requirements of 40 CFR Parts 60 and 75, as amended.

(3) This regulation does not apply to fuel burning equipment that:

(a) Burns only distillate fuel oil or a mixture of gas and distillate fuel oil;

(b) Is able to comply with the applicable particulate matter and opacity emission limitations without using particulate matter control equipment; and

(c) Has never been found in a final order to be in violation of any visible emissions standard.

(4) [Not in SIP]

(5) The owner or operator of a cement manufacturing installation may discontinue use of a COM when a PM CPMS is installed and operated in accordance with the requirements of COMAR 26.11.30.

(6) Sources may request for approval by the Department and EPA an alternate limit for specific operating conditions in which the technological limitations of the control equipment adversely affects the ability of the source to comply with visible emissions limits by following the recommendations at 80 FR 33980. The alternate limit shall be submitted to EPA as a SIP revision and included in 40 CFR Part 52 Subpart V 52.1070(d) for Maryland Source Specific SIP revisions.

### B. General Requirements for COMs.

(1) The owner or operator of an installation subject to this regulation shall:

(a) Install and continuously operate a COM that complies with a plan approved by the Department and EPA in accordance with §B(1)(b) of this regulation; and

(b) Before installing a COM, submit to the Department for approval, a plan containing the COM design specifications, proposed location, and a description of a proposed alternative measurement method consisting of a schedule for utilizing the EPA Reference Method 9 observational procedures.

(2) The Department shall submit the plan to EPA for review and approval.

(3) A COM shall comply with the applicable requirements in 40 CFR Part 51, Appendix P, as amended, which is incorporated by reference.

(4) [Not in SIP]

(5) The owner or operator of a cement kiln or clinker cooler that is operating a COM is subject to the following requirements.

(a) The owner or operator of a cement kiln or clinker cooler may not cause or permit the discharge of emissions which exceed the visibility standards in COMAR 26.11.30.05B.

(b) The visibility standards in COMAR 26.11.30.05B(1) and (2) do not apply to emissions as specified in COMAR 26.11.06.02A(2) during EPA reference Method 9 observations.

(c) For the purpose of demonstrating compliance with COMAR 26.11.30.05B(2) when using a COM, emissions that are visible to a human observer are those that are equal to or greater than 10 percent opacity.

(d) For the owner or operator of a cement kiln or clinker cooler that is operating a COM, compliance with visible emission standards is achieved if visible emissions do not exceed the applicable visible emission limitations in 26.11.30.05B(1) or (2) as applicable.

(e) Notwithstanding the requirements in §B(5)(a)—(d) of this regulation, the Department may determine compliance and non-compliance with the visible emission limitations by performing EPA reference Method 9 observations.

(f) The owner or operator of a cement kiln or clinker cooler that is operating a COM shall meet the quality assurance requirements under COMAR 26.11.31.

(6) The owner or operator of a municipal waste combustor that is required to install and operate a COM is subject to the following requirements.

(a) The owner or operator of a municipal waste combustor may not cause or permit the discharge of emissions which exceed the visibility standards in COMAR 26.11.08.04 as determined by EPA reference Method 9 observations.

(b) For the purpose of demonstrating compliance with COMAR 26.11.08.04 when using a COM, emissions that are visible to a human observer are those that are equal to or greater than 10 percent opacity.

(c) For the owner or operator of a municipal waste combustor that is required to install and operate a COM, compliance with visible emission standards is achieved if visible emissions do not exceed 10 percent opacity for a 6-minute block average during the unit's operating time.

(d) Notwithstanding the requirements in §B(6)(a)—(c) of this regulation, the Department may determine compliance and non-compliance with the visible emission limitations by performing EPA reference Method 9 observations.

(e) The owner or operator of a municipal waste combustor that is operating a COM shall meet the quality assurance requirements under COMAR 26.11.31.

### C. Certification and Quality Assurance Procedures.

(1) All certification testing, including certification performance tests and audits, shall be performed in accordance with 40 CFR Part 60, Appendix B, as amended, which is incorporated by reference.

(2) For fuel burning equipment subject to the federal Acid Rain Program, all certification testing, including certification performance tests and audits, shall be performed in accordance with 40 CFR Part 75, Appendix A, as amended.

(3) Certification testing shall be repeated when the Department determines that the data are invalid because of component replacement or other conditions that affect the accuracy of generated data.

(4) The owner or operator that is required to perform a certification performance test shall:

(a) At least 60 days before the test, submit a test protocol to the Department for review and approval;

(b) Schedule the test at a reasonable time and notify the Department at least 10 days before the test is to be conducted; and

(c) Submit the test results to the Department not later than 45 days after the completion of the test.

(5) The owner or operator of fuel-burning equipment required to install and operate a COM shall meet the quality assurance procedures contained in COMAR 26.11.31.

#### D. Record Keeping and Reporting Requirements.

##### (1) System Downtime Reporting Requirements.

(a) All COM downtime that lasts or is expected to last more than 24 hours shall be reported to the Department by telephone before 10 a.m. of the first regular business day following the first day on which downtime occurs.

(b) The COM downtime report shall include the reason, if known, for the breakdown and the estimated period of time that the COM will be down. The owner or operator shall notify the Department by telephone when the COM has met performance specifications for accuracy, reliability, and durability of acceptable monitoring systems, as provided in 40 CFR Part 51 Appendix P, and is producing data.

(c) Except as otherwise approved by the Department and the EPA, a COM shall operate in compliance with the requirements of §B(2) of this regulation and collect data for at least 95 percent of the source's operating time during any calendar quarter. The alternative measurement plan required in §B(1)(b) of this regulation shall be used at all times when the COM fails to conform to performance standards required by §B(2) of this regulation during data collection.

##### (2) Data Reporting Requirements.

(a) A COM shall automatically reduce all data to six-minute block averages calculated from 24 or more equally spaced data points.

(b) All COM data shall be reported in a format approved by the Department.

(c) [Not in SIP]

E. All information required by this regulation to be maintained or reported to the Department shall be retained and made available for review by the Department for a minimum of 5 years from the time the report is submitted.

F. Repealed