

ARTICLE XII. AIR POLLUTANTS: MONITORING, REPORTING

**Sec. 1-202. Purpose and Scope**

(a) The purpose of this Article is to set forth the requirements of the Board relating to monitoring air pollution emissions and filing reports covering their discharge into the outdoor atmosphere or Buncombe and Haywood Counties.

(b) Monitoring may also be required by other regulations including 1-158. and 1-159.

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**Sec. 1-203. Definitions**

The following definitions of terms apply throughout this Article.

- (1) "Fossil fuel-fired steam generator" means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.
- (2) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.
- (3) "Excess emissions" means emissions of an air pollutant in excess of an emission standard.
- (4) "Emission standard" means a regulation (or portion thereof setting forth an allowable rate of emissions, level of opacity, or pre- scribing equipment or fuel specifications that result in control of air pollution emissions.
- (5) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge, but does not include facilities where conversion to sulfuric acid is utilized primarily as a means of preventing-emissions to the atmosphere of sulfur dioxide or other sulfur compounds.
- (6) "Nitric acid plant" means any facility producing nitric acid 30 to 70 percent in strength by either the pressure or atmospheric pressure process.
- (7) "Distillate oils" are those liquid fractions of petroleum which are normally derived by vaporization and condensation of petroleum remaining after gasoline and fractions more volatile than gasoline have been removed.
- (8) "Residual oils" are those liquid or semi-liquid fractions of petroleum remaining after distillate oils and fractions more volatile than distillate oils have been removed
- (9) "40 CFR" Refers to Code of Federal Regulations as of June 5, 1985.

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#### **Sec. 1-204. Sources Covered by Implementation Plan Requirements**

(a) Sources covered by Regulations Sec. 1-158. and Sec. 1-159. are exempt from this Regulation. The following sources, which are included in Paragraph 1.1 of Appendix P of 40 CFR Part 51:

- (1) Fossil fuel-fired steam generators,
- (2) nitric acid plants,
- (3) sulfuric acid plants, and
- (4) petroleum refineries,

shall be monitored as described in Paragraphs 2 and 3.1.1. through 3.1.5 of Appendix P of 40 CFR Part 51. The performance specifications are those found in Appendix B of 40 CFR Part 60 and Paragraphs 3.2 through 3.8 of Appendix P of 40 CFR Part 51. The excess emissions shall be reported quarterly to the Board in the manner described in Paragraphs 4 and 5.1 through 5.3.3 of Appendix P of 40 CFR Part 51 except as otherwise provided in this Section. The minimum requirements described in the referenced portions of Appendix P of 40 CFR Part 51 are hereby adopted as the requirements to be used under this Regulation. Wherever the language of the referenced portion of Appendix P of 40 CFR Part 51 speaks of the "state" or "state plan", the requirements described therein shall apply to those sources to which they pertain.

(b) A source which has purchased an emission monitoring system prior to September 11, 1974, is exempt from having to meet the test procedures described in 40 CFR Part 60 Appendix B until April 18, 1982, if the system was approved under Article XII which is now Article XII revised March 13, 1985. A monitoring scheme which uses significant manual operations, for example, a periodic grab sampling and analysis scheme, is not considered to be an emission monitoring system as described in this Section.

(c) When effluents from two or more affected facilities of similar design and operating characteristics are combined before being released to the atmosphere, the monitoring system may be installed on the combined effluent.

(d) A six-minute time period shall be deemed appropriate as an alternative opacity averaging time period as described in Paragraph 4.2 of Appendix P of 40 CFR Part 51.

(e) Data reporting or reduction procedures varying from those prescribed by this Regulation may be used if the owner or operator of a source shows to the satisfaction of the director that the alternate procedures are at least as accurate as those in the Regulation.

(f) Alternative monitoring and reporting requirements may be approved, on a case-by-case basis, by the director through the following procedure:

(1) The owner or operator of a source may apply in writing to the director for approval of alternative monitoring and reporting requirements. The application shall include:

- (A) the basis or reason that alternative monitoring and reporting requirements are more desirable than those prescribed by this Regulation,
- (B) A proposal of alternative monitoring and reporting requirements,
- (C) any other information that the source owner or operator feel would be helpful to the director in his evaluation of the application.

(2) Examples of situations where alternative monitoring and reporting requirements may be approved include, but are not limited to, the following:

- (A) when installation of a continuous monitoring system or device prescribed by this Regulation would not provide accurate determinations of emissions;
- (B) when the affected facility is operated on less than 30 days per year;
- (C) when effluents from two or more facilities of significantly different design and operating characteristics are combined before release to the atmosphere or when the effluent is released to the atmosphere through more than one point;
- (D) when the director determines that the requirements prescribed by this Regulation would impose an extreme economic burden on the source owner or operator; The determination of an extreme economic burden shall be made on the basis of whether meeting the requirements prescribed by this Regulation would produce serious hardship without equal or greater benefit to the public;
- (E) when the monitoring systems prescribed by this Regulation cannot be installed due to physical limitations at the facility; The determination of such limitations shall be made on the basis of whether meeting the requirements prescribed by this Regulation would necessitate significant reconstruction of the facility.

(3) The director may require the submission of additional information as he considers appropriate to evaluate the application.

(4) Upon making a determination that the source should be subject to alternative monitoring and reporting requirements, the director may approve either the proposed alternative monitoring and reporting requirements or any other monitoring and reporting requirements that he considers appropriate and feasible.

(g) 40 CFR refers to the Code of Federal Regulations as of June 5, 1985.

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**Sec. 1-205. Wood and Wood-Fossil Fuel Combination Units.**

(a) A photoelectric or other type visible emissions detector and recorder shall be installed, calibrated, maintained, and operated on all stacks discharging flue gases from one or more steam generator units when the heat input from wood fuels (or when the sum of the heat inputs from wood fuels and liquid or solid fossil fuels for generators not covered by Regulation Sec. 1-158. or 1-204.) to any individual steam generator unit discharging to the stack exceeds 250 million BTU per hour and the annual average capacity factor is greater than 30 percent as demonstrated to the director by the owner or operator.

(b) The visible emissions detector instrumentation shall be zeroed and calibrated as recommended by the manufacturer.

(c) The record of these measurements shall be summarized. The summary shall show the date and duration of any violations of the applicable visible emission regulations. The summary shall be submitted to the Board at quarterly intervals. The recorder charts from which the summary is prepared shall be retained for at least one year and made available for inspection by personnel of the Western North Carolina Regional Air Pollution Control Agency.

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**Sec. 1-206. Other Coal or Residual Oil Burners.**

(a) The owner or operator of any fuel burning unit shall determine sulfur dioxide emissions into the ambient air if the unit:

- (1) burns coal or residual oil,
- (2) is not required to monitor sulfur dioxide emissions by Regulations Sec. 1-203 or Sec. 1-204 of this Article,
- (3) has a total heat input of more than 250 million BTU per hour from coal and residual oil, and
- (4) is required to be monitored based on its annual average capacity factor as determined from the three most recent calendar year reports to the Federal Power Commission or as otherwise demonstrated to the Director by the owner or operator, as follows:

(A) If the average capacity factor of the unit for 1980, 1981, and 1982 exceeds 30 percent, the unit shall be monitored.

(B) If the average capacity factor of the unit for 1980, 1981, and 1982 does not exceed 30 percent, the unit need not be monitored.

(C) If the unit has not been in existence for three calendar years or if the unit is constructed after 1982, its three-calendar-year average capacity factor shall be determined by estimating its annual capacity factors for enough future years to allow a three-calendar-year average capacity factor to be computed. If this three-calendar-year average capacity factor exceeds 30 percent, the unit shall be monitored. If this three-calendar-year average capacity factor does not exceed 30 percent, the unit need not be monitored

(D) Once the unit is being monitored in accordance with Subparagraphs (a) (4) (A), (C), or (E) of this Regulation, it shall continue, to be monitored until its most recent three-calendar-year average capacity factor does not exceed 25 percent.

(E) Once the unit is not being monitored in accordance with Subparagraphs (a) (4) (B), (C), or (D) of this Regulation, it need not be monitored until its most recent three-calendar year average capacity factor exceeds 35 percent.

If units required to be monitored have a common exhaust or if units required to be monitored have a common exhaust with units not required to be monitored, then the common exhaust may be monitored, and the emissions need not be apportioned among the units with the common exhaust.

(b) Sulfur dioxide emissions shall be determined by:

- (1) an instrument for continuously monitoring and recording sulfur dioxide emissions, or
  - (2) analyses of representative samples of fuels to determine BTU value and percent sulfur content, or,
  - (3) such other procedures as may be approved by the director or his delegate.
- (c) The continuous monitoring of sulfur dioxide emissions and the determination of the sulfur content of fuels shall be conducted in accordance with procedures approved by the director or his delegate.
- (d) The data to be reported quarterly to the director shall include in those cases where sulfur dioxide emissions are excess emissions:
- (1) for fuel analysis:
    - (A) the quantity and type of fuels burned,
    - (B) the BTU value.
    - (C) the sulfur content in percent by weight, and
    - (D) the total calculated sulfur dioxide emissions.
  - (2) for continuous monitoring of emissions:
    - (A) the emission rate expressed in the same units as the applicable standard,
    - (B) the maximum instantaneous rate, and
    - (C) the total sulfur dioxide emissions.

Recorder charts from continuous monitoring instruments shall be retained by the company for at least one year and made available for inspection by personnel of the Western North Carolina Regional Air Pollution Control Agency.

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**Sec.1-207. Exceptions to Monitoring and Reporting Requirements.**

(a) The following exceptions apply to Sec. 1-204., Sec. 1-205., and Sec. 1-206. of this Article.

(1) A source not subject to an emission standard of Article IX shall not be required to be monitored or reported under this Section.

(2) Monitoring and reporting during a period of monitoring system malfunction shall not be required under this Section, if the owner or operator of the source shows, to the satisfaction of the director, that the malfunction was unavoidable and is being repaired as expeditiously as practicable.

(3) Proof of continuous monitoring system performance shall be provided on request of the director when system repairs or adjustments have been made.

(b) Sources otherwise required to be monitored and reported under Sec. 1-205., Sec. 1-206., of this Article shall not be required to be monitored or reported under this Article if the source is operated less per year.

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**Sec. 1-208. Program Schedule.**

(a) All persons required to report emissions by Sec. 1-158., Sec. 1-159., Sec 1-204., Sec. 1-205., or Sec. 1-206., of this Article shall have in operation a monitoring program for each affected source upon beginning operation of a new source or within 18 months after an existing source becomes subject to Sec. 1-204., Sec. 1-205., or Sec. 1-206. of this Article. However, reasonable extensions of these deadlines may be granted as described in 40 CFR. 51.18(e) (5) and Paragraph 1.3 of Appendix P of 40 CFR Part 51 as of March 13, 1985. The monitoring program shall remain in effect as long as the-source is required to monitor and report its emissions under the requirements of this Section.

(b) All persons required to report emissions by Sec. 1-205., or Sec, 1-106. of this Article shall, by October 16, 1976, (November 1, 1973, for affected facilities which were required to be monitored under the then Article XII which was remodified as Article XII effective February 1, 1976) submit to the Western North Carolina Regional Air Pollution Control Board for review and approval a program for complying with such requirements. The program shall include a statement concerning:

- (1) the qualifications of the personnel who will be doing the sampling and sampling analysis,
- (2) the date by which the first report will be submitted, and
- (3) a description of the procedures and equipment for sampling and sample analysis•

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**Secs. 1-209 - 1-221. Reserved.**